

RESOLUTION NO. 2023-10

A Resolution of the Vigo County Council
Designation of an Area Within Vigo County, Indiana as an
Economic Revitalization Area
For the Purpose of a Real Property Tax Abatement

WHEREAS, a Petition for 10 year real property tax abatement has been filed with the Vigo County Council (hereinafter "Council") requesting that the property described therein be designated as Economic Revitalization Area for purposes of real property tax abatement; and

WHEREAS, Wabash Valley Resources LLC (hereinafter the "Petitioner,") has submitted a Statement of Benefits and provided all information and documentation necessary for the Council to make an informed decision, said information includes a description of the real property on which the project is to be located, which is more particularly described in Exhibit A (the "Subject Property").

WHEREAS, Petitioner has represented and presented evidence that in connection with the project, Petitioner has 17 existing employees and will create approximately 107 new permanent full-time jobs with a total incremental annual payroll and benefit package of approximately \$13,450,596. Petitioner has further represented and presented evidence that the cost Phase I of this project will be approximately \$703,000,000 for personal property improvements and \$67,600,000 for real property improvements. It is also anticipated that this project will require approximately 360 construction jobs on average with an annual payroll and benefit package of approximately \$28,000,000 for up to 30 months.

WHEREAS, the Council is authorized under the provisions of I.C. 6-1.1-12.1-1 et. seq. to designate areas of the County as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Council has considered the petition and Statement of Benefits and has conducted a complete and proper investigation of the Subject Property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the Council has found the Subject Property to be an area where facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substandard buildings and other factors which prevent normal development of use;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Council that:

1. The Petitioner's estimate of the value of the redevelopment and rehabilitation and the project to be constructed on the Subject Property is reasonable for projects of that

nature in order to maintain, expand, update, and improve opportunities and capacity for manufacturing.

2. The Petitioner's estimate of the number of individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project, and redevelopment and rehabilitation.

3. The Petitioner's estimate of the annual salaries or wages of the individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.

4. That the benefits, for which information has been requested, can be expected to result from the project and the redevelopment and rehabilitation.

5. The totality of the benefits of the proposed redevelopment and rehabilitation can reasonably be expected to result from the project and are sufficient to justify a 10 year real property tax deduction from assessed valuation under Indiana statutes, in accord with the attached Deduction Schedule and each such deduction should be, and they are hereby, allowed.

6. That the Council has considered the Petitioner's total investment in real and personal property, the number of new full-time equivalent jobs created by the Project, the average wage of the new employees compared to the State minimum wage, and the infrastructure requirements for Petitioner's investment and, based on such factors, has determined that the petition for designating the Subject Property as an economic revitalization area for the purposes of 10 year real property tax abatement and the Statement of Benefits is hereby approved and the Subject Property is hereby designated as an Economic Revitalization Area pursuant to I.C.6-1.1-12.1-1 et. seq., and Petitioner is entitled to the 10 year real property tax abatement provided therein for the proposed redevelopment and rehabilitation in accord with the Abatement Schedule hereunto attached as Exhibit B.

7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office and stating a date on which the Council will hear and receive remonstrances and objections and take final action, all as required by law.

8. That this Resolution is supplementary to and in addition to any prior resolutions.

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Passed in open Council this _____ day of _____, 2023.

R. Todd Thacker, President

Travis Norris

David Thompson

Nancy Allsup

Marie Theisz

Vicki Weger

Aaron Loudermilk

Attest:

Jim Bramble, Vigo County Auditor

This instrument prepared by _____

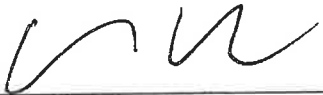
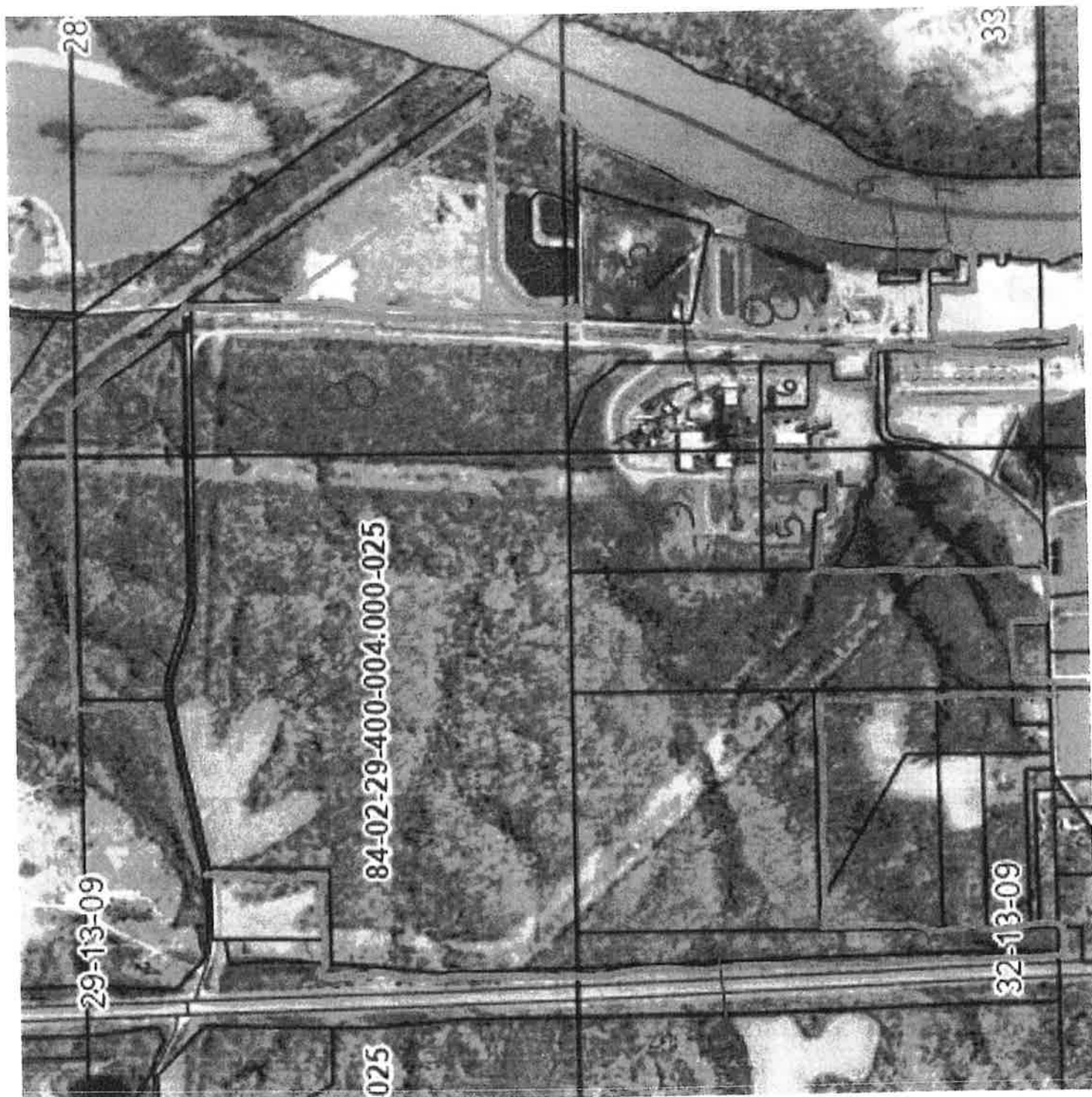

Richard J Shagley II, Wright, Shagley, & Lowery, P.C.
500 Ohio Street, Terre Haute, IN, 47807; (812) 232-3388

Exhibit A
Real Property Tax Abatement Resolution
Wabash Valley Resources LLC
Vigo County Project Campus
Parcel List

1. Parcel No. 84-02-28-300-005.000-025, 9.85 acres
2. Parcel No. 84-02-28-300-006.000-025, 1.66 acres
3. Parcel No. 84-02-32-200-008.000-025, 15.67 acres
4. Parcel No. 84-02-33-101-001.000-025, 10.42 acres
5. Parcel No. 84-02-32-200-013.000-025, 3.47 acres
6. Parcel No. 84-02-33-101-005.000-025, 1.59 acres
7. Parcel No. 84-02-33-154-005.000-025, 0.498 acres
8. Parcel No. 84-02-33-101-010.000-025, 70.581 acres
9. Parcel No. 84-02-33-101-011.000-025, 0.281 acres
10. Parcel No. 84-02-28-300-001.000-025, 6.81 acres
11. Parcel No. 84-02-32-200-001.000-025, 40 acres
12. Parcel No. 84-02-32-100-005.000-025, 6.9 acres
13. Parcel No. 84-02-32-200-007.000-025, 39.1 acres
14. Parcel No. 84-02-29-400-004.000-025, 141.2 acres
15. Parcel No. 84-02-33-101-009.000-025, 9.687 acres



(1) Parcel No. 84-28-300-005.000-025

Acreage: 9.85

Commonly Known As: Sandford Rd.

West Terre Haute, IN 47885

Legal Description:

1. Stormwater Pond Real Estate

PART OF THE SOUTHWEST QUARTER OF SECTION 28 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 9 WEST, VIGO COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH REBAR IN CONCRETE MARKING THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE ALONG THE WEST LINE OF SAID SECTION, NORTH 00 DEGREES 17 MINUTES 22 SECONDS WEST, 409.98 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 1049.68 FEET TO A 5/8 INCH REBAR WITH CAP INSCRIBED "ROWLAND L.S. 29600015" AND HEREON CALLED AN "IRON MONUMENT", MARKING THE POINT OF BEGINNING; THENCE NORTH 86 DEGREES 19 MINUTES 11 SECONDS EAST, 114.81 FEET TO AN "IRON MONUMENT"; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 930.96 FEET TO THE WEST BANK OF THE WABASH RIVER (WITNESSED BY AN "IRON MONUMENT" NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 24.02 FEET); THENCE ALONG SAID RIVER THE FOLLOWING TWO (2) COURSES: SOUTH 24 DEGREES 21 MINUTES 42 SECONDS WEST, 97.82 FEET; SOUTH 31 DEGREES 56 MINUTES 32 SECONDS WEST, 446.41 FEET (WITNESSED BY AN "IRON MONUMENT" NORTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 33.93 FEET); THENCE NORTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 422.38 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 119.53 FEET, AN ARC LENGTH OF 65.92 FEET, A CHORD BEARING OF NORTH 34 DEGREES 19 MINUTES 56 SECONDS EAST, AND A CHORD DISTANCE OF 65.08 FEET; THENCE NORTH 18 DEGREES 14 MINUTES 19 SECONDS EAST, 101.91 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 130.84 FEET, AN ARC LENGTH OF 60.67 FEET, A CHORD BEARING OF NORTH 05 DEGREES 33 MINUTES 33 SECONDS EAST, AND A CHORD DISTANCE OF 60.13 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 62.90 FEET, AN ARC LENGTH OF 68.60 FEET, A CHORD BEARING OF NORTH 46 DEGREES 43 MINUTES 36 SECONDS WEST, AND A CHORD DISTANCE OF 65.25 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 11 SECONDS WEST, 200.24 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 83.18 FEET, AN ARC LENGTH OF 96.69 FEET, A CHORD BEARING OF SOUTH 42 DEGREES 32 MINUTES 46 SECONDS WEST, AND A CHORD DISTANCE OF 91.34 FEET; THENCE SOUTH 02 DEGREES 37 MINUTES 38 SECONDS WEST, 133.91 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 45.17 FEET, AN ARC LENGTH OF 64.81 FEET, A CHORD BEARING OF SOUTH 35 DEGREES 49 MINUTES 42 SECONDS WEST, AND A CHORD DISTANCE OF 59.39 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 295.85 FEET TO AN "IRON MONUMENT"; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 86.19 FEET TO AN "IRON MONUMENT"; THENCE NORTH 05 DEGREES 27 MINUTES 31 SECONDS EAST, 171.58 FEET TO AN "IRON MONUMENT"; THENCE NORTH 43 DEGREES 39 MINUTES 49 SECONDS EAST, 153.96 FEET TO AN "IRON MONUMENT"; THENCE NORTH 52 DEGREES 12 MINUTES 02 SECONDS EAST, 129.73 FEET TO THE POINT OF BEGINNING, CONTAINING 9.85 ACRES, MORE OR LESS.

(2) Parcel No. 84-28-300-006.000-025

Acreage: 1.66

Commonly Known As: W Sandford Rd.

West Terre Haute, IN 47885

Legal Description:

2. Wastewater Pond Real Estate

Part of the Southwest Quarter of Section 28 and Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West, Vigo County, Indiana, and more particularly described as follows:

Commencing at a 5/8 inch rebar in concrete marking the Southwest corner of said section 28; thence along the West line of said section, North 00 degrees 17 minutes 22 seconds West, 140.24 feet; thence North 90 degrees 00 minutes 00 seconds East, 1159.91 feet to the POINT OF BEGINNING; thence South 02 degrees 37 minutes 38 seconds West, 133.91 feet; thence along a non-tangent curve to the right, having a radius of 45.17 feet, an arc length of 64.81 feet, a chord bearing of South 35 degrees 49 minutes 42 seconds West, and a chord distance of 59.39 feet; thence South 89 degrees 16 minutes 10 seconds East, 275.99 feet; thence along a non-tangent curve to the left, having a radius of 119.53 feet, an arc length of 65.92 feet, a chord bearing of North 34 degrees 19 minutes 56 seconds East, and a chord distance of 65.08 feet; thence North 18 degrees 14 minutes 19 seconds East, 101.91 feet; thence along a non-tangent curve to the left, having a radius of 130.84 feet, an arc length of 60.67 feet, a chord bearing of North 05 degrees 33 minutes 33 seconds East, and a chord distance of 60.13 feet; thence along a non-tangent curve to the left, having a radius of 62.90 feet, an arc length of 68.60 feet, a chord bearing of North 46 degrees 43 minutes 36 seconds West, and a chord distance of 65.25 feet; thence South 89 degrees 19 minutes 11 seconds West, 200.24 feet; thence along a non-tangent curve to the left, having a radius of 83.18 feet, an arc length of 96.69 feet, a chord bearing of South 42 degrees 32 minutes 46 seconds West, and a chord distance of 91.34 feet to the point of beginning, containing 1.66 acres, more or less.

(3) Parcel No. 84-02-32-200-008.000-025

Acreage: 15.67 (part of the 26.09 "Gasification Real Estate")

Commonly Known As: Bolton Road

West Terre Haute, IN 47885

Legal Description:

1. Gasification Property Legal Description:

PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 9 WEST, VIGO COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR IN CONCRETE MARKING THE NORTHWEST CORNER OF SAID SECTION 33, THENCE ALONG THE NORTH LINE OF SAID SECTION, NORTH 89 DEGREES 58 MINUTES 05 SECONDS EAST, 63.12 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, SOUTH 71 DEGREES 37 MINUTES 21 SECONDS WEST, 0.25 FEET FROM CORNER; THENCE ALONG THE NORTH AND EAST LINES OF A TRACT OF LAND DESCRIBED AS "TRACT 1" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY, THE FOLLOWING THREE (3) COURSES: SOUTH 67 DEGREES 34 MINUTES 34 SECONDS EAST, 292.31 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, NORTH 78 DEGREES 54 MINUTES 54 SECONDS WEST, 0.25 FEET FROM CORNER; SOUTH 38 DEGREES 57 MINUTES 34 SECONDS EAST 238.00 FEET TO A 5/8 INCH REBAR WITH CAP INSCRIBED "ROWLAND L.S. 29600015" AND HEREON CALLED AN "IRON MONUMENT"; SOUTH 00 DEGREES 37 MINUTES 33 SECONDS EAST, 741.38 FEET TO AN "IRON MONUMENT"; THENCE NORTH 89 DEGREES 33 MINUTES 08 SECONDS WEST 1145.62 FEET TO AN "IRON MONUMENT"; ON THE WEST LINE OF A TRACT OF LAND DESCRIBED AS "TRACT 2" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 18 MINUTES 11 SECONDS WEST 1031.72 FEET TO A 5/8 INCH REBAR ON THE NORTH LINE OF SAID SECTION 32; THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 45 MINUTES 28 SECONDS EAST 659.97 FEET TO THE POINT OF BEGINNING, CONTAINING 26.09 ACRES MORE OR LESS.

(4) Parcel No. 84-02-33-101-001.000-025

Acreage: 10.42 (part of the 26.09 "Gasification Real Estate")

Commonly Known As: 444 W Sandford Rd.

West Terre Haute, IN 37885

Legal Description:

1. Gasification Property Legal Description:

PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 9 WEST, VIGO COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR IN CONCRETE MARKING THE NORTHWEST CORNER OF SAID SECTION 33, THENCE ALONG THE NORTH LINE OF SAID SECTION, NORTH 89 DEGREES 58 MINUTES 05 SECONDS EAST, 63.12 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, SOUTH 71 DEGREES 37 MINUTES 21 SECONDS WEST, 0.25 FEET FROM CORNER; THENCE ALONG THE NORTH AND EAST LINES OF A TRACT OF LAND DESCRIBED AS "TRACT 1" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY, THE FOLLOWING THREE (3) COURSES: SOUTH 67 DEGREES 34 MINUTES 34 SECONDS EAST, 292.31 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, NORTH 78 DEGREES 54 MINUTES 54 SECONDS WEST, 0.25 FEET FROM CORNER; SOUTH 38 DEGREES 57 MINUTES 34 SECONDS EAST 238.00 FEET TO A 5/8 INCH REBAR WITH CAP INSCRIBED "ROWLAND L.S. 29600015" AND HEREON CALLED AN "IRON MONUMENT"; SOUTH 00 DEGREES 37 MINUTES 33 SECONDS EAST, 741.38 FEET TO AN "IRON MONUMENT"; THENCE NORTH 89 DEGREES 33 MINUTES 08 SECONDS WEST 1145.62 FEET TO AN "IRON MONUMENT"; ON THE WEST LINE OF A TRACT OF LAND DESCRIBED AS "TRACT 2" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 18 MINUTES 11 SECONDS WEST 1031.72 FEET TO A 5/8 INCH REBAR ON THE NORTH LINE OF SAID SECTION 32; THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 45 MINUTES 28 SECONDS EAST 659.97 FEET TO THE POINT OF BEGINNING, CONTAINING 26.09 ACRES MORE OR LESS.

(5) Parcel No. 84-02-32-200-013.000-025

Acreage: 3.47

Commonly Known As: Sandford Rd.

West Terre Haute, IN 37885

Legal Description:

2. Tract 1 (par of Unit 1 Real Property)

Commencing at a 1 inch Iron Pin marking the Southwest Corner of the East Half of the Southeast Quarter of the Northeast Quarter of said Section 32; thence along the West line of said East Half, North 00 degrees 18 minutes 11 seconds West 1162.11 feet; thence continuing North 00 degrees 18 minutes 11 seconds West 139.94 Feet to a 5/8" rebar with yellow cap stamped "Schneider Firm#0001" hereafter referred To as "Rebar" and the Point of Beginning; thence continuing North 00 degrees 18 minutes 11 seconds West 268.99 feet to the Northwest corner of a tract of land recorded as Instrument Number 2008000499 in the Office of the Vigo County Recorder; thence South 89 degrees 33 minutes 08 seconds East along the North line of said tract 494.09 feet to a "Rebar"; thence South 00 degrees 39 minutes 56 seconds West 355.06 feet to a "Rebar"; thence North 88 degrees 48 minutes 44 seconds West 168.26 feet to a "Rebar"; thence North 01 degrees 59 minutes 51 seconds West 56.66 feet to a "Rebar"; thence North 84 degrees 39 minutes 09 seconds West 319.72 feet to a "Rebar" and the point of beginning. Containing 3.47 acres, more or less.

(6) Parcel No. 84-02-33-101-005.000-025

Acreage: 1.59

Commonly Known As: 444 Sandford Rd.

West Terre haute, IN 47885

Legal Description:

Tract 2 (Part of Unit 1 Real Property) (Corrected Legal Description)

Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West, Vigo County, Indiana, being more particularly described as follows:

Commencing at a 1 inch Iron Pin marking the Southwest Corner of the of the East Half of The Southeast Quarter of the Northeast Quarter of said Section 32; Thence along the West line of said East Half; thence North 00 degrees 18 minutes 11 seconds West 1571.04 feet to the Northwest corner of a tract of land recorded as Instrument Number 2008000499 in the Office of the Vigo County Recorder; thence South 89 degrees 33 minutes 08 seconds East 1145.62 feet to he northeast corner thereof and the Point of Beginning; thence South 00 degrees 37 minutes 33 seconds East 267.04 feet to a 5/8" rebar with yellow cap stamped "Schneider Firm#0001" hereafter referred to as "Rebar"; thence South 89 degrees 22 minutes 27 seconds West 259.20 feet to a Mag Nail with Washer stamped "Schneider Firm#0001"; thence North 00 degrees 14 minutes 20 seconds East 271.86 feet to a Mag Nail with a Washer stamped "Schneider Firm#0001" and the north line of said tract; thence South 89 degrees 33 minutes 08 seconds East along said north line 255.14 feet; to the point of beginning. Containing 1.59 acres, more or less.

(7) Parcel No. 84-02-33-154-005.000-025

Acreage: 0.498

Commonly Known As: N/a

Legal Description:

Land Description – Water Intake Parcel

(Parcel No. 84-02-33-101-009.000-025)

Part of the West Half of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana, being that 0.498-acre tract of land shown on a survey entitled "Wabash River Station WVR Transaction Boundary Survey" certified by Joshua David Werner, Professional Surveyor #LS21200020 on June 29, 2021 (Schneider Geomatics project number 13146) and being described as follows (all reference monuments, bearings, and distances are as shown on said survey):

COMMENCING at a 1/2-inch bolt in concrete marking the Southwest Corner of the Northwest Quarter of said Section 33, thence South 89 degrees 59 minutes 33 seconds East (basis of bearings is the Indiana State Plane Coordinate System -West Zone, NAD 83) 607.25 feet (all distances in this description are horizontal ground distances) to a point on an easterly line of a tract of land recorded in Instrument #2020005216 in the Office of the Recorder of Vigo County, Indiana, said point being on a non-tangent curve to the right having a radius of 1,350.00 feet, the radius point of which bears North 84 degrees 37 minutes 54 seconds East from said point; the next 6 courses being along the easterly line, southerly lines, and westerly line of said tract of land; (1) thence northerly along said curve an arc distance of 136.85 feet to a point which bears North 89 degrees 33 minutes 37 seconds West from said radius point, said point being marked by a found 5/8-inch rebar with cap stamped "Schneider Firm#0001" (hereinafter referred to as a "Rebar"); (2) thence North 00 degrees 27 minutes 47 seconds East 489.63 feet to a found Rebar; (3) thence South 89 degrees 29 minutes 02 seconds East 306.55 feet to a set Rebar being the POINT OF BEGINNING; (4) thence continuing South 89 degrees 29 minutes 02 seconds East 77.92 feet to a set Rebar; (5) thence South 00 degrees 57 minutes 28 seconds West 154.12 feet to a cut "X" set; (6) thence North 90 degrees 00 minutes 00 seconds East 80.17 feet to a set Rebar on the west bank of the Wabash River; thence along the west bank of the Wabash River the following 7 courses; (1) thence South 27 degrees 01 minute 05 seconds East 6.76 feet; (2) thence South 47 degrees 48 minutes 48 seconds West 4.34 feet; (3) thence South 56 degrees 32 minutes 49 seconds West 8.38 feet; (4) thence South 33 degrees 43 minutes 33 seconds West 7.11 feet; (5) thence South 19 degrees 40 minutes 00 seconds West 20.32 feet; (6) thence South 04 degrees 52 minutes 40 seconds West 9.83 feet; (7) thence South 06 degrees 07 minutes 11 seconds East 20.47 feet to a set Rebar; thence leaving said West bank North 88 degrees 52 minutes 15 seconds West 140.95 feet to a set Rebar; thence North 00 degrees 30 minutes 58 seconds East 220.79 feet to the POINT OF BEGINNING; containing 0.498 acres, more or less.

(8) Parcel No. 84-02-33-101-010.000-025

Acreage: 70.3 acres

Commonly Known As: 444 W Sandford Rd.

West Terre Haute, IN 47885

Legal Description:

PURCHASED REAL ESTATE-LAND DESCRIPTION

PARCEL 1 - FEE

Part of the Southwest Quarter of Section 28 and part of the West half of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana, being that 70.581 acre tract of land shown on a survey entitled "Wabash River Generating Station – WVR Transfer Survey" certified by William A. Schmidt, Professional Surveyor #LS87001 on November 12, 2019 (The Schneider Corporation project number 9141.069) and being described as follows (all references to monuments, bearings and distances are as shown on said survey):

Beginning at a 5/8 inch rebar marking the Southwest corner of said Section 28; thence North 00 degrees 17 minutes 15 seconds West (basis of bearings is the Indiana State Plane Coordinate System – West Zone, NAD 83) along the West line of said Section 28 a distance of 2090.00 feet to a point (witnessed by a Mag nail with washer stamped "Hennessy 20200026, South 89 degrees 52 minutes 08 seconds West, 0.25 feet from said point) ; thence North 89 degrees 52 minutes 08 seconds East 856.01 feet to a 5/8 inch rebar with cap stamped "Schneider Firm #0001" and hereon called an "iron monument"; thence South 03 degrees 00 minutes 22 seconds East 514.58 feet to an "iron monument"; thence South 03 degrees 51 minutes 29 seconds West 627.53 feet to an "iron monument"; thence South 03 degrees 24 minutes 06 seconds West 954.82 feet to an "iron monument"; thence South 03 degrees 41 minutes 52 seconds West 35.52 feet to an "iron monument" on the westerly extension of the South line of a tract of land as described in Instrument #2019000831 in said recorder's office; thence South 89 degrees 17 minutes 29 seconds East along said extension and South line of said tract of land 1070.20 feet to a point on the West bank of the Wabash River (witnessed by an "iron monument" North 89 degrees 17 minutes 29 seconds West 1.50 feet from said point); thence along the West bank of the Wabash River the following twenty-one (21) courses and distances: South 43 degrees 40 minutes 26 seconds West 28.42 feet; thence South 30 degrees 54 minutes 55 seconds West 291.88 feet; thence South 23 degrees 49 minutes 39 seconds West 119.15 feet; thence South 33 degrees 05 minutes 06 seconds West 47.77 feet; thence South 28 degrees 35 minutes 25 seconds West 144.81 feet; thence South 20 degrees 51 minutes 21 seconds West 84.88 feet; thence South 24 degrees 17 minutes 59 seconds West 90.03 feet; thence South 44 degrees 07 minutes 03 seconds West 33.20 feet; thence South 23 degrees 09 minutes 31 seconds West 65.45 feet; thence South 01 degrees 28 minutes 52 seconds East 28.19 feet; thence South 24 degrees 52 minutes 28 seconds West 91.68 feet; thence South 28 degrees 28 minutes 01 seconds West 79.43 feet; thence South 18 degrees 03 minutes 58 seconds West 147.85 feet; thence South 22 degrees 37 minutes 53 seconds West 135.80 feet; thence South 18 degrees 12 minutes 56 seconds West 227.77 feet; thence South 04 degrees 40 minutes 47 seconds West 43.64 feet; thence South 11 degrees

37 minutes 03 seconds West 199.05 feet; thence South 02 degrees 33 minutes 53 seconds West 170.56 feet; thence South 06 degrees 30 minutes 02 seconds West 52.09 feet; thence South 10 degrees 40 minutes 34 seconds East 72.16 feet; thence South 08 degrees 07 minutes 35 seconds West 87.66 feet to a point (witnessed by an "iron monument North 08 degrees 07 minutes 35 seconds East 87.66 feet from said point; thence leaving said West bank a bearing of North 90 degrees 00 minutes 00 seconds West 87.22 feet to the East line of the existing Wabash Generating Station building; thence North 00 degrees 57 minutes 28 seconds East along said East line and the northerly extension thereof a distance of 154.12 feet to the easterly extension of the North line of the existing line of said building; thence North 89 degrees 29 minutes 02 seconds West along the North line of said building and the extension thereof 384.47 feet to an "iron monument"; thence South 00 degrees 27 minutes 47 seconds West 489.63 feet to an "iron monument on a non-tangent curve having a radius of 1350.00 feet, the radius point of which bears South 89 degrees 33 minutes 37 seconds East; thence southerly along said curve to the left an arc distance of 200.74 feet to an "iron monument" which bears South 81 degrees 55 minutes 13 seconds West from said radius point; thence South 08 degrees 04 minutes 47 seconds East 86.28 feet to a Mag Nail with washer stamped "Schneider Firm #0001"; thence South 81 degrees 55 minutes 13 seconds East; thence northerly along said curve to the right an arc distance of 208.17 feet to an "iron monument" which bears North 89 degrees 33 minutes 37 seconds West from said radius point; thence North 00 degrees 26 minutes 23 seconds East 434.84 feet to an "iron monument"; thence North 00 degrees 38 minutes 53 seconds East 169.17 feet to an "iron monument" on a tangent curve having a radius of 1250.00 feet, the radius point of which bears North 89 degrees 21 minutes 07 seconds West; thence northerly along said curve to the left an arc distance 74.84 feet to an "iron monument" which bears North 87 degrees 13 minutes 04 seconds East from said radius point; thence North 02 degrees 46 minutes 56 seconds West 56.67 feet to an "iron monument" on a tangent curve having a radius of 1475.00 feet, the radius point of which bears North 87 degrees 13 minutes 04 seconds East; thence northerly along said curve to the right an arc distance of 71.51 feet to an "iron monument" which bears South 89 degrees 59 minutes 43 seconds West from said radius point; thence North 89 degrees 29 minutes 53 seconds West 176.87 feet to an "iron monument" on the East line of a tract of land described in Instrument #2008000449 in said recorder's office; thence along the Easterly lines of said tract the following three (03) courses and distances: North 00 degrees 02 minutes 56 seconds West 213.74 feet to a 5/8 inch rebar with cap inscribed "LS29600015 Rowland"; thence North 89 degrees 54 minutes 09 seconds East a distance of 108.60 feet to a 5/8 inch rebar; thence North 00 degrees 36 minutes 17 seconds West 396.10 feet to a 5/8 inch rebar with cap inscribed "LS29600015 Rowland" marking the Southeast corner of a tract of land as described in Instrument #2019000830 in said recorder's office; thence along the Easterly lines of said tract of land the following four (04) courses and distances: North 00 degrees 38 minutes 33 seconds West 741.38 feet to an "iron monument"; thence North 38 degrees 54 minutes 10 seconds West 238.00 feet to a 5/8 inch rebar; thence North 67 degrees 34 minutes 41 seconds West 292.40 feet to a 5/8 inch rebar; thence North 89 degrees 59 minutes 50 seconds West a distance of 63.05 feet to the point of beginning. Containing 80.268 acres, more or less.

Excepting therefrom the following described real estate:

Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana and being described as follows:

Commencing at a 5/8 inch rebar marking the Northwest corner of said Section 33; thence South 89 degrees 59 minutes 50 seconds East (basis of bearing is the Indiana State Plane Coordinate System –

West Zone, NAD 83) along the North line of said section 33 a distance of 750.13 feet; thence South 03 degrees 41 minutes 52 seconds West 62.90 feet to a 5/8 inch rebar with cap stamped "Schneider Firm #0001" and hereon called an "iron monument" marking the Point of Beginning; thence South 89 degrees 18 minutes 52 seconds East 722.47 feet to an "iron

monument"; thence South 17 degrees 36 minutes 38 seconds West 742.11 feet to an "iron monument"; thence North 78 degrees 33 minutes 09 seconds West 550.64 feet to an "iron monument"; thence North 04 degrees 22 minutes 36 seconds East 217.28 feet to an "iron monument"; thence North 03 degrees 41 minutes 52 seconds East 390.86 feet to the point of beginning. Containing 9.687 acres, more or less.

Leaving after said exception, 70.581 acres, more or less.

PARCEL 2 - EASEMENT

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS KNOWN AS THE WVR POTTSVILLE STREET EASEMENT RECORDED 5/11, 2020 AS INSTRUMENT NO. 2020005214, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA.

PARCEL 3 - EASEMENT

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS KNOWN AS THE WVR BOLTON ROAD EASEMENT RECORDED 5/11, 2020 AS INSTRUMENT NO. 2020005215, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA.

PARCEL 4 - EASEMENT

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS KNOWN AS THE POTTSVILLE STREET EASEMENT RECORDED 5/11, 2020 AS INSTRUMENT NO. 2020005218, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA.

(9) Parcel No. 84-02-33-101-011.000-025

Acreage: 0.281

Commonly Known As: n/a

Legal Description:

(Parcel No. 84-02-33-101-010.000-025)

Part of the West Half of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana, being that 0.281-acre tract of land shown on a survey entitled "Wabash River Station WVR Transaction Boundary Survey" certified by Joshua David Werner, Professional Surveyor #LS21200020 on June 29, 2021 (Schneider Geomatics project number 13146) and being described as follows (all reference monuments, bearings, and distances are as shown on said survey):

COMMENCING at a 1/2-inch bolt in concrete marking the Southwest Corner of the Northwest Quarter of said Section 33; thence South 89 degrees 59 minutes 33 seconds East (basis of bearings is the Indiana State Plane Coordinate System – West Zone, NAD 83) 607.25 feet (all distances in this description are horizontal ground distances) to a point on an easterly line of a tract of land recorded in Instrument #2020005216 in the Office of the Recorder of Vigo County, Indiana, said point being on a non-tangent curve to the right having a radius of 1,350.00 feet, the radius point of which bears North 84 degrees 37 minutes 54 seconds East from said point; the next 3 courses being along the easterly line, southerly lines, and westerly line of said tract of land; (1) thence northerly along said curve an arc distance of 136.85 feet to a point which bears North 89 degrees 33 minutes 37 seconds West from said radius point, said point being marked by a found 5/8-inch rebar with cap stamped "Schneider Firm #0001" (hereinafter referred to as a "Rebar"); (2) thence North 00 degrees 27 minutes 47 seconds East 489.63 feet to a found Rebar; (3) thence South 89 degrees 29 minutes 02 seconds East 325.20 feet; thence North 00 degrees 36 minutes 23 seconds East 53.60 feet to a set Mag nail with washer stamped "Schneider Firm #0001" (hereinafter referred to as "Mag Nail") being the POINT OF BEGINNING; thence continuing North 00 degrees 36 minutes 23 seconds East 174.05 feet to a set Mag Nail; thence North 89 degrees 43 minutes 58 seconds West 10.08 feet to a set Mag Nail; thence North 00 degrees 10 minutes 36 seconds West 39.36 feet to a set Mag Nail; thence South 89 degrees 12 minutes 51 seconds East 44.23 feet; thence South 68 degrees 02 minutes 29 seconds East 30.16 feet to a set Rebar; thence South 18 degrees 21 minutes 49 seconds West 23.64 feet to a set Rebar; thence South 00 degrees 49 minutes 54 seconds West 72.70 feet to a set Rebar; thence South 89 degrees 10 minutes 06 seconds East 9.27 feet to a set Rebar; thence South 00 degrees 49 minutes 54 seconds West 25.00 feet to a set Rebar; thence North 89 degrees 10 minutes 06 seconds West 9.27 feet to a set Rebar; thence South 00 degrees 49 minutes 54 seconds West 83.45 feet, passing a set rebar at 78.45 feet; thence North 87 degrees 52 minutes 48 seconds West 53.79 feet, passing a cut "X" set at 5.00 feet, to the POINT OF BEGINNING, containing 0.281 acres, more or less.

(10) Parcel No. 84-02-28-300-001.000-025

Acreage: 6.81 acres

Commonly Known As: N/a

Legal Description:

PARCEL 2

S SURFACE ONLY OF PART OF THE WEST HALF OF THE WEST HALF OF SECTION TWENTY-EIGHT (28); AND, PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28, TOWNSHIP 13 NORTH, RANGE 9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD, EXCEPT A TRACT CONVEYED TO THE SOUTHERN INDIANA RAILROAD COMPANY, BY DEED RECORDED IN DEED RECORD 113, PAGE 328 DESCRIBED AS FOLLOWS: A TRIANGULAR TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28-13-9 WEST, BEING ALL THAT PART OF SAID QUARTER SECTION LYING WEST OF THE CENTER LINE OF DURKEE'S FERRY ROAD, AND NORTH AND EAST OF A LINE PARALLEL TO AND 150 FEET SOUTHWESTERLY FROM THE CENTER LINE OF THE GRANTEE'S EXTENSION THROUGH VIGO COUNTY AS NOW LOCATED; ALSO EXCEPTING A TRACT CONVEYED TO

SOUTHERN CONSTRUCTION COMPANY, BY DEED RECORDED IN DEED RECORD 267, PAGE 7, DESCRIBED AS FOLLOWS: ALL THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28-13-9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD AND SOUTH OF THE FRANK LEEK GRAVEL ROAD, AS SAID ROADS ARE NOW LAID OUT AND ESTABLISHED, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF WEST FRACTIONAL SECTION 28-13-9 WEST, 1,549.95 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 540 FEET TO THE CENTER OF THE FRANK LEEK GRAVEL ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE EASTWARDLY ALONG THE CENTERLINE OF SAID ROAD 769 FEET TO THE CENTER OF THE DURKEE'S FERRY ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE SOUTHWARDLY ALONG THE CENTER OF SAID ROAD 550 FEET TO AN IRON PIN; THENCE WESTWARDLY 805 FEET TO THE POINT OF BEGINNING, LEAVING AFTER EXCEPTIONS 7.0 ACRES, MORE OR LESS.

THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST, EXCEPT THE FOLLOWING: A TRACT CONVEYED TO VICTORY SERVICES CORPORATION AND IS DESCRIBED AS THAT PART LYING NORTH OF THE THOMAS LEEK GRAVEL ROAD IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29-13-9 WEST; ALSO EXCEPTING A TRACT CONVEYED TO THOMAS AND MARY LEEK, BY DEED RECORDED IN DEED RECORD 211, PAGE 573, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 679 FEET DUE SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29; RUNNING THENCE DUE EAST 388.4 FEET; THENCE SOUTH 673 FEET; THENCE WEST 388.4 FEET; THENCE NORTH 673 FEET TO THE PLACE OF

BEGINNING, LEAVING AFTER EXCEPTIONS 136 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 5.2 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM EACH OF THE ABOVE TRACTS OR INTERESTS IN SAID TRACTS: PIPELINE EASEMENTS HERETOFORE GRANTED TO SHELL OIL COMPANY AND EASEMENTS HERETOFORE GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 148.2 ACRES, MORE OR LESS.

SUBJECT TO RIGHT OF WAY EASEMENT BETWEEN PEABODY COAL COMPANY, A DELAWARE CORPORATION AND MIDWESTERN GAS TRANSMISSION COMPANY, A DELAWARE CORPORATION, AS SHOWN BY INSTRUMENT DATED DECEMBER 20, 2000 AND RECORDED ON JANUARY 9, 2001 AS INSTRUMENT NUMBER 20010494 IN RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE

(11) Parcel No. 84-02-32-200-001.000-025

Acreage: 40

Commonly Known As: N/a

Legal Description:

PARCEL 1

SURFACE ONLY OF PARTS OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER CONTAINING 40 ACRES, MORE OR LESS, AND THE EAST HALF OF THE NORTHEAST QUARTER WITH THE FOLLOWING THREE EXCEPTIONS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER 30 FEET EAST OF THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHWARDLY PARALLEL TO, AND 30 FEET EAST OF THE WEST LINE OF SAID HALF QUARTER SECTION A DISTANCE OF 208.71 FEET TO A STAKE; THENCE EASTWARDLY PARALLEL TO THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO A STAKE; THENCE SOUTHWARDLY PARALLEL TO THE WEST LINE OF SAID HALF QUARTER SECTION TO A POINT ON THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 208.71 FEET; THENCE WESTWARDLY ON AND ALONG THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO THE PLACE OF BEGINNING; CONTAINING IN ALL 1.5 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, AND RUNNING THENCE SOUTH 0 DEGREES 38 MINUTES WEST ON AND ALONG THE EAST LINE OF SAID SECTION 32, 1,435.0 FEET TO A POINT; THENCE WEST 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST 1,440.2 FEET, PLUS OR MINUS, TO THE NORTH LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 32 MINUTES EAST ON AND ALONG THE NORTH LINE OF SAID SECTION 32, 660.0 FEET PLUS OR MINUS, TO THE PLACE OF BEGINNING CONTAINING 21.78 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES WEST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST, 1,162.8 FEET TO A POINT WHICH IS 1,440.2 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTH LINE OF SAID SECTION 32; THENCE EAST 660 FEET TO A POINT ON THE EAST LINE OF SECTION 32 WHICH POINT IS 1,435.0 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32, 1,158.45 FEET TO THE PLACE OF BEGINNING; CONTAINING 17.62 ACRES, MORE OR LESS.

CONTAINING AFTER EXCEPTIONS 37.9 ACRES, MORE OR LESS.

ALSO:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 4.3 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63 CONTAINING 2.6 ACRES, MORE OR LESS.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 84.8 ACRES, MORE OR LESS.

SUBJECT TO RIGHTS GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC., BY INSTRUMENT DATED DECEMBER 7, 1954, AND RECORDED IN DEED RECORD 287 AT PAGE 245 OF THE RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE SURFACE OWNER, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR SUBSIDENCE OR REMOVAL OF SUBJACENT OR LATERAL SUPPORT.

(12) Parcel No. 84-02-32-100-005.000-025

Acreage: 6.9

Commonly Known As: N/a

Legal Description:

PARCEL 1

PARCEL 1

SURFACE ONLY OF PARTS OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER CONTAINING 40 ACRES, MORE OR LESS, AND THE EAST HALF OF THE NORTHEAST QUARTER WITH THE FOLLOWING THREE EXCEPTIONS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER 30 FEET EAST OF THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHWARDLY PARALLEL TO, AND 30 FEET EAST OF THE WEST LINE OF SAID HALF QUARTER SECTION A DISTANCE OF 208.71 FEET TO A STAKE; THENCE EASTWARDLY PARALLEL TO THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO A STAKE; THENCE SOUTHWARDLY PARALLEL TO THE WEST LINE OF SAID HALF QUARTER SECTION TO A POINT ON THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 208.71 FEET; THENCE WESTWARDLY ON AND ALONG THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO THE PLACE OF BEGINNING; CONTAINING IN ALL 1.5 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, AND RUNNING THENCE SOUTH 0 DEGREES 38 MINUTES WEST ON AND ALONG THE EAST LINE OF SAID SECTION 32, 1,435.0 FEET TO A POINT; THENCE WEST 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST 1,440.2 FEET, PLUS OR MINUS, TO THE NORTH LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 32 MINUTES EAST ON AND ALONG THE NORTH LINE OF SAID SECTION 32, 660.0 FEET PLUS OR MINUS, TO THE PLACE OF BEGINNING CONTAINING 21.78 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES WEST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST, 1,162.8 FEET TO A POINT WHICH IS 1,440.2 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTH LINE OF SAID SECTION 32; THENCE EAST 660 FEET TO A POINT ON THE EAST LINE OF SECTION 32 WHICH POINT IS 1,435.0 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32, 1,158.45 FEET TO THE PLACE OF BEGINNING; CONTAINING 17.62 ACRES, MORE OR LESS.

CONTAINING AFTER EXCEPTIONS 37.9 ACRES, MORE OR LESS.

ALSO:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 4.3 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63 CONTAINING 2.6 ACRES, MORE OR LESS.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 84.8 ACRES, MORE OR LESS.

SUBJECT TO RIGHTS GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC., BY INSTRUMENT DATED DECEMBER 7, 1954, AND RECORDED IN DEED RECORD 287 AT PAGE 245 OF THE RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE SURFACE OWNER, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR SUBSIDENCE OR REMOVAL OF SUBJACENT OR LATERAL SUPPORT.

(13) Parcel No. 84-02-32-200-007.000-025

Acreage: 39.1

Commonly Known As: N/a

Legal Description:

PARCEL 1

SURFACE ONLY OF PARTS OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER CONTAINING 40 ACRES, MORE OR LESS, AND THE EAST HALF OF THE NORTHEAST QUARTER WITH THE FOLLOWING THREE EXCEPTIONS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER 30 FEET EAST OF THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHWARDLY PARALLEL TO, AND 30 FEET EAST OF THE WEST LINE OF SAID HALF QUARTER SECTION A DISTANCE OF 208.71 FEET TO A STAKE; THENCE EASTWARDLY PARALLEL TO THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO A STAKE; THENCE SOUTHWARDLY PARALLEL TO THE WEST LINE OF SAID HALF QUARTER SECTION TO A POINT ON THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 208.71 FEET; THENCE WESTWARDLY ON AND ALONG THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO THE PLACE OF BEGINNING; CONTAINING IN ALL 1.5 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, AND RUNNING THENCE SOUTH 0 DEGREES 38 MINUTES WEST ON AND ALONG THE EAST LINE OF SAID SECTION 32, 1,435.0 FEET TO A POINT; THENCE WEST 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST 1,440.2 FEET, PLUS OR MINUS, TO THE NORTH LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 32 MINUTES EAST ON AND ALONG THE NORTH LINE OF SAID SECTION 32, 660.0 FEET PLUS OR MINUS, TO THE PLACE OF BEGINNING CONTAINING 21.78 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES WEST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST, 1,162.8 FEET TO A POINT WHICH IS 1,440.2 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTH LINE OF SAID SECTION 32; THENCE EAST 660 FEET TO A POINT ON THE EAST LINE OF SECTION 32 WHICH POINT IS 1,435.0 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32, 1,158.45 FEET TO THE PLACE OF BEGINNING; CONTAINING 17.62 ACRES, MORE OR LESS.

CONTAINING AFTER EXCEPTIONS 37.9 ACRES, MORE OR LESS.

ALSO:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 4.3 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63 CONTAINING 2.6 ACRES, MORE OR LESS.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 84.8 ACRES, MORE OR LESS.

SUBJECT TO RIGHTS GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC., BY INSTRUMENT DATED DECEMBER 7, 1954, AND RECORDED IN DEED RECORD 287 AT PAGE 245 OF THE RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE SURFACE OWNER, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR SUBSIDENCE OR REMOVAL OF SUBJACENT OR LATERAL SUPPORT.

(14) Parcel No. 84-02-29-400-004.000-025

Acreage: 141.2

Commonly Known As: N/a

Legal Description:

PARCEL 2

SURFACE ONLY OF PART OF THE WEST HALF OF THE WEST HALF OF SECTION TWENTY-EIGHT (28); AND, PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28, TOWNSHIP 13 NORTH, RANGE 9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD, EXCEPT A TRACT CONVEYED TO THE SOUTHERN INDIANA RAILROAD COMPANY, BY DEED RECORDED IN DEED RECORD 113, PAGE 328 DESCRIBED AS FOLLOWS: A TRIANGULAR TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28-13-9 WEST, BEING ALL THAT PART OF SAID QUARTER SECTION LYING WEST OF THE CENTER LINE OF DURKEE'S FERRY ROAD, AND NORTH AND EAST OF A LINE PARALLEL TO AND 150 FEET SOUTHWESTERLY FROM THE CENTER LINE OF THE GRANTEE'S EXTENSION THROUGH VIGO COUNTY AS NOW LOCATED; ALSO EXCEPTING A TRACT CONVEYED TO

SOUTHERN CONSTRUCTION COMPANY, BY DEED RECORDED IN DEED RECORD 267, PAGE 7, DESCRIBED AS FOLLOWS: ALL THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28-13-9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD AND SOUTH OF THE FRANK LEEK GRAVEL ROAD, AS SAID ROADS ARE NOW LAID OUT AND ESTABLISHED, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF WEST FRACTIONAL SECTION 28-13-9 WEST, 1,549.95 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 540 FEET TO THE CENTER OF THE FRANK LEEK GRAVEL ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE EASTWARDLY ALONG THE CENTERLINE OF SAID ROAD 769 FEET TO THE CENTER OF THE DURKEE'S FERRY ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE SOUTHWARDLY ALONG THE CENTER OF SAID ROAD 550 FEET TO AN IRON PIN; THENCE WESTWARDLY 805 FEET TO THE POINT OF BEGINNING, LEAVING AFTER EXCEPTIONS 7.0 ACRES, MORE OR LESS.

THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST, EXCEPT THE FOLLOWING: A TRACT CONVEYED TO VICTORY SERVICES CORPORATION AND IS DESCRIBED AS THAT PART LYING NORTH OF THE THOMAS LEEK GRAVEL ROAD IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29-13-9 WEST; ALSO EXCEPTING A TRACT CONVEYED TO THOMAS AND MARY LEEK, BY DEED RECORDED IN DEED RECORD 211, PAGE 573, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 679 FEET DUE SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29; RUNNING THENCE DUE EAST 388.4 FEET; THENCE SOUTH 673 FEET; THENCE WEST 388.4 FEET; THENCE NORTH 673 FEET TO THE PLACE OF

BEGINNING, LEAVING AFTER EXCEPTIONS 136 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 5.2 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM EACH OF THE ABOVE TRACTS OR INTERESTS IN SAID TRACTS: PIPELINE EASEMENTS HERETOFORE GRANTED TO SHELL OIL COMPANY AND EASEMENTS HERETOFORE GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 148.2 ACRES, MORE OR LESS.

SUBJECT TO RIGHT OF WAY EASEMENT BETWEEN PEABODY COAL COMPANY, A DELAWARE CORPORATION AND MIDWESTERN GAS TRANSMISSION COMPANY, A DELAWARE CORPORATION, AS SHOWN BY INSTRUMENT DATED DECEMBER 20, 2000 AND RECORDED ON JANUARY 9, 2001 AS INSTRUMENT NUMBER 20010494 IN RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE

(15) Parcel No. 84-02-33-101-009.000-025

Acreage: 9.687

Commonly Known As: N/a

Legal Description:

Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian in Vigo County, Indiana, being described as follows:

Commencing at a 5/8 inch rebar marking the Northwest corner of said Section 33; thence South 89 degrees 59 minutes 50 seconds East (basis of bearings is the Indiana State Plane Coordinate System - West Zone, NAD 83) along the North line of said Section 33 a distance of 750.13 feet; thence South 03 degrees 41 minutes 52 seconds West 62.90 feet to the Point of Beginning; thence South 89 degrees 18 minutes 52 seconds East 722.47 feet; thence South 17 degrees 36 minutes 38 seconds West 742.11 feet; thence North 78 degrees 33 minutes 09 seconds West 550.64 feet; thence N01th 04 degrees 22 minutes 36 seconds East 217.28 feet; thence N01th 03 degrees 41 minutes 52 seconds East 390.86 feet; to the point of beginning. Containing 9.687 acres, more or less.

Real Property Tax Abatement Resolution
Wabash Valley Resources LLC
Abatement Schedule

YEAR OF DEDUCTION	PERCENTAGE
1st	100%
2nd	100%
3rd	100%
4th	100%
5th	100%
6th	100%
7th	100%
8th	100%
9th	100%
10th	100%

**FINAL ACTION BY THE VIGO COUNTY COUNCIL
REGARDING RESOLUTION No. 2023-10
(Real Property)**

WHEREAS, the Vigo County Council (hereinafter "Council") adopted Resolution No. 2023-10 on the ____ day of _____, 2023, and pursuant to Indiana Law has published notice of the adoption and substance of said Resolution including a description of the affected area and notice that a description of the affected area is available for inspection in the office of the County Assessor and further stating a date on which the Council would receive and hear remonstrances and objects; and

WHEREAS, a copy of the Notice referenced in Section 7 of Resolution No. 2023-10 and Statement of Benefits was sent to all taxing units with authority to levy property taxes in the area where the Economic Revitalization Area is located and filed with the County Assessor; and

WHEREAS, The Council has conducted the hearing as required by law and has received no remonstrances or objections to designation of the affected area as a revitalization area or to approval of the Statement of Benefits; and

WHEREAS, said matter is before the Council for final action pursuant to Indiana Law; and

WHEREAS, the Council has received and examined, prior to such hearing, a Statement of Benefits on the forms prescribed by the Department of Local Government Finance and proper application for designation and has heard all appropriate evidence concerning the proposed project and has found and does find:

1. That the estimate of the cost of redevelopment and rehabilitation and equipment is reasonable for projects of that type.
2. That the estimate of individuals who will be employed and whose employment will be retained as a result of the redevelopment and rehabilitation and installation of the new manufacturing equipment can reasonably be expected to result from the proposed project.
3. That the estimate of the annual salaries and other benefits of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
4. That the benefits can reasonably be expected to result from the proposed redevelopment and rehabilitation and the project.
5. That the totality of benefits is sufficient to justify the deduction.

6. That all qualifications for establishing an economic revitalization area have been met.

7. That Wabash Valley Resources LLC is committed to following the National Maintenance Agreements for the construction of this project

8. That the Council has considered the Petitioner's total investment in real and personal property, the number of new full-time equivalent jobs created by the Project, the average wage of the new employees compared to the State minimum wage and the infrastructure requirements for the Petitioner's investment and, based on such factors, has determined that the petition for designating the Subject Property as an Economic Revitalization Area for the purposes of 10 year real property tax abatement and the Statement of Benefits copies of which were submitted with the petitions are hereby approved and the Real Estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 et. seq., and Petitioner is entitled to the 10 year real property tax abatement provided therein for the proposed redevelopment and rehabilitation in accord with the attached schedule.

NOW, THEREFORE, for Final Actions on Resolution No. 2023-10 the Council RESOLVES, FINDS AND DETERMINES:

1. That all of the requirements for designation of the real estate described in Resolution No. 20123-10 (the "Original Resolution") as an Economic Revitalization Area have been met, the foregoing findings and the finding in the Original Resolution are true and that all information required to be submitted has been submitted in proper form.

2. That the Original Resolution is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed project and the redevelopment and rehabilitation are sufficient to justify a 10 year real property tax abatement under Indiana statutes for the proposed redevelopment and rehabilitation described in the Petitioner's Statement of Benefits and the deduction for the proposed project and redevelopment and rehabilitation and the Statements of Benefit submitted is approved and the Council authorizes and direct the endorsement of said Statement of Benefits to show such approval and that the real estate described in the Original Resolution is declared an Economic Revitalization Area for the purposes of a 10 year real property tax abatement and that said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.0-1 et. seq. and Petitioner is entitled to a 10 year real property tax abatement as provided therein in accord with the attached Deduction Schedule in connection with the proposed redevelopment/rehabilitation and the project.

3. That this Resolution shall also serve as the Resolution required by I.C. 6-1.1-12.1-2.5 (k) approving a tax abatement in an area previously designated as an allocation area by the Vigo County Council.

4. That said Resolution supplements any other designation of the Subject Property as an Economic Revitalization Area or similar designation.

5. That this Final Action, findings, and confirmation of the Original Resolution Shall be incorporated in and be a part of the Original Resolution.

Passed in open Council this _____ day of _____, 2023.

R. Todd Thacker, President

Travis Norris

David Thompson

Nancy Allsup

Marie Theisz


Vicki Weger

Aaron Loudermilk

Attest:

Jim Bramble, Vigo County Auditor

This instrument prepared by _____


Richard J. Shagley II, Wright, Shagley & Lowery PC
500 Ohio Street, Terre Haute, IN 47807; (812-232-3388)

Real Property Tax Abatement Resolution
Wabash Valley Resources LLC
Abatement Schedule

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	100%
3 rd	100%
4 th	100%
5 th	100%
6 th	100%
7 th	100%
8 th	100%
9 th	100%
10 th	100%

APPLICATION FOR DECLARATION OF AN
ECONOMIC REVITALIZATION AREA AND FOR TAX ABATEMENT FOR
REAL PROPERTY

Wabash Valley Resources LLC ("WVR") applies to the Vigo County Council as the county executive designating body under I.C. §6-1.1-12.1, et seq, on behalf of Fayette Township, an Economic Revitalization Area ("ERA") and to provide for the abatement of taxation on such real property to be located on real estate within Fayette Township, and in support thereof, states and shows as follows:

1. WVR intends to install an anhydrous ammonia plant with carbon capture and sequestration technology. The Subject Property for the proposed Facility site is depicted in the attached Exhibit A (the "Proposed Facility Subject Property" & "Property Facility Parcel List.")
2. It is projected that the installation of equipment will begin after abatement approval with a projected construction commencement date by early 2024 and is anticipated to be completed by the end of 2026.
3. It is expected that installation of the new manufacturing equipment will locally employ approximately three hundred sixty (360) workers on-site through the duration of the construction period of up to thirty (30) months.
4. The completed Facility and installation and operation of new manufacturing equipment will require one hundred seven (107) new permanent full-time employees. All positions should be filled by the end of 2026, after a complete ramp up has occurred.
5. The total cost of Phase 1 of the Project is estimated to be approximately Seven Hundred Three Million Dollars and 00/100 (\$703,000,000.00), including investments in both real and personal property, as set forth in the Statement of Benefits (Form SB-1), attached hereto as Exhibit B (with "Cost Analysis Summary.") Phase II of the Project will be the subject of a later abatement application.

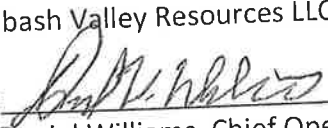
6. An Economic Revitalization Area designation for the purposes of tax abatement for real property is sought for the Facility to induce WVR to construct and maintain the Facility in Fayette Township, Vigo County, Indiana.

7. Construction and maintenance of the Facility depends on, among other things, the declaration of an ERA by the Vigo County Council and a resolution approving a subsequent tax abatement for real property for a period of ten (10) years. The abatement of taxation is a substantial incentive for WVR to construct and develop the Facility in Fayette Township, Vigo County, Indiana.

WHEREFORE, WVR applies to the Vigo County Council on behalf of Fayette Township, Indiana to adopt a resolution at its regularly constituted meeting declaring the Proposed Facility Subject Property as an Economic Revitalization Area pursuant to I.C. §6-1.1-12.1, et seq. and that deductions from the Facility be granted for a period of ten (10) years. WVR requests that a public hearing on this application be held, and requests that the Vigo County Council confirm its resolution declaring the Facility as an Economic Revitalization Area.

Respectfully submitted,

Wabash Valley Resources LLC

By: 
Daniel Williams, Chief Operating Officer

Passed in open Council this _____ day of _____, 2023.

R. Todd Thacker, President

Travis Norris

David Thompson

Nancy Allsup

Marie Theisz

Vicki Weger

Aaron Loudermilk

Attest:

James W. Bramble, Auditor

This instrument prepared by _____


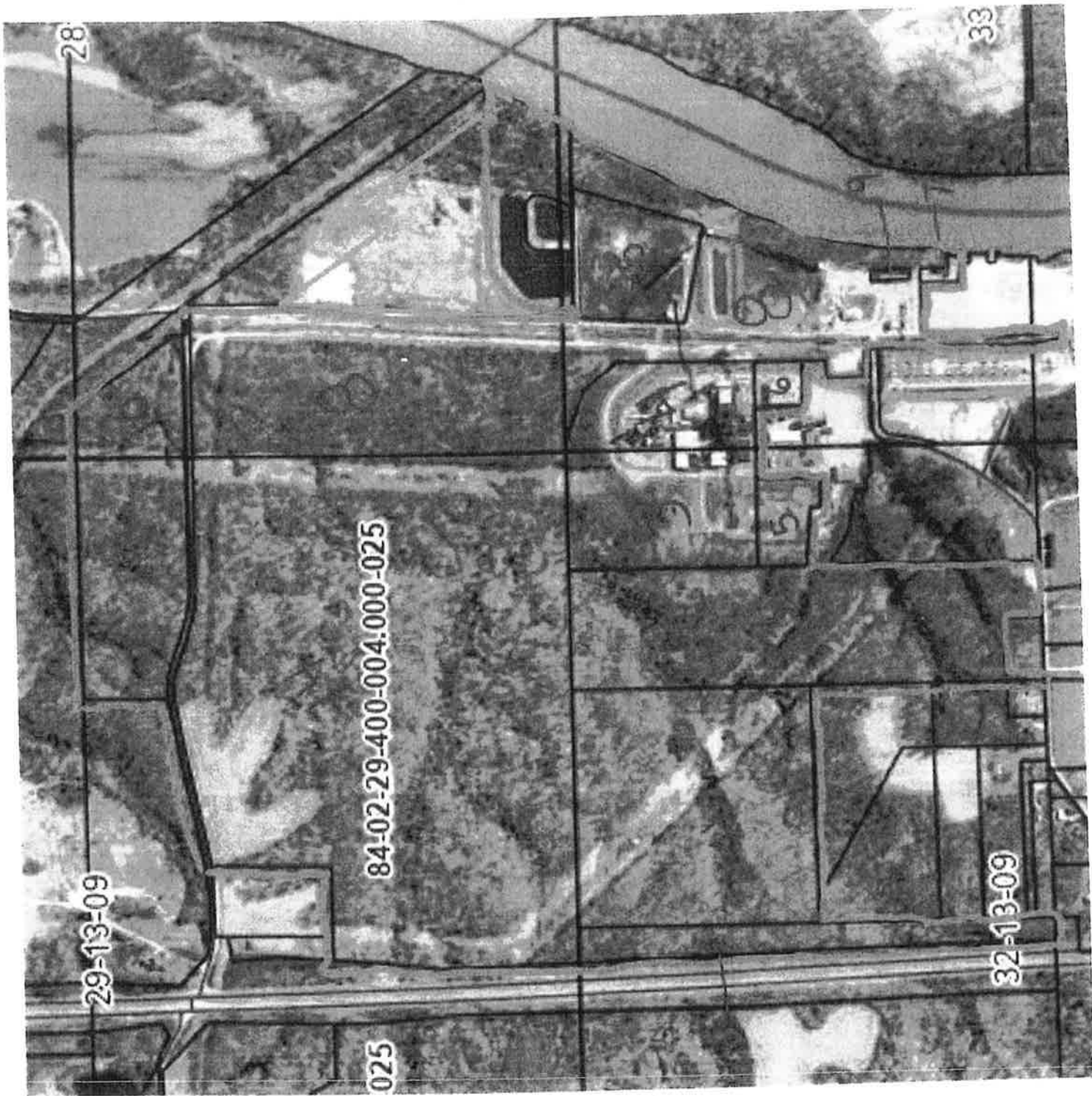

Richard J Shagley II, Wright, Shagley, & Lowery, P.C.
500 Ohio Street, Terre Haute, IN, 47807; (812) 232-3388

Exhibit A
Real Property Tax Abatement Resolution
Wabash Valley Resources LLC
Vigo County Project Campus
Parcel List

1. Parcel No. 84-02-28-300-005.000-025, 9.85 acres
2. Parcel No. 84-02-28-300-006.000-025, 1.66 acres
3. Parcel No. 84-02-32-200-008.000-025, 15.67 acres
4. Parcel No. 84-02-33-101-001.000-025, 10.42 acres
5. Parcel No. 84-02-32-200-013.000-025, 3.47 acres
6. Parcel No. 84-02-33-101-005.000-025, 1.59 acres
7. Parcel No. 84-02-33-154-005.000-025, 0.498 acres
8. Parcel No. 84-02-33-101-010.000-025, 70.581 acres
9. Parcel No. 84-02-33-101-011.000-025, 0.281 acres
10. Parcel No. 84-02-28-300-001.000-025, 6.81 acres
11. Parcel No. 84-02-32-200-001.000-025, 40 acres
12. Parcel No. 84-02-32-100-005.000-025, 6.9 acres
13. Parcel No. 84-02-32-200-007.000-025, 39.1 acres
14. Parcel No. 84-02-29-400-004.000-025, 141.2 acres
15. Parcel No. 84-02-33-101-009.000-025, 9.687 acres



(1) Parcel No. 84-28-300-005.000-025

Acreage: 9.85

Commonly Known As: Sandford Rd.

West Terre Haute, IN 47885

Legal Description:

1. Stormwater Pond Real Estate

PART OF THE SOUTHWEST QUARTER OF SECTION 28 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 9 WEST, VIGO COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH REBAR IN CONCRETE MARKING THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE ALONG THE WEST LINE OF SAID SECTION, NORTH 00 DEGREES 17 MINUTES 22 SECONDS WEST, 409.98 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 1049.68 FEET TO A 5/8 INCH REBAR WITH CAP INSCRIBED "ROWLAND L.S. 29600015" AND HEREON CALLED AN "IRON MONUMENT", MARKING THE POINT OF BEGINNING; THENCE NORTH 86 DEGREES 19 MINUTES 11 SECONDS EAST, 114.81 FEET TO AN "IRON MONUMENT"; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 930.96 FEET TO THE WEST BANK OF THE WABASH RIVER (WITNESSED BY AN "IRON MONUMENT" NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 24.02 FEET); THENCE ALONG SAID RIVER THE FOLLOWING TWO (2) COURSES: SOUTH 24 DEGREES 21 MINUTES 42 SECONDS WEST, 97.82 FEET; SOUTH 31 DEGREES 56 MINUTES 32 SECONDS WEST, 446.41 FEET (WITNESSED BY AN "IRON MONUMENT" NORTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 33.93 FEET); THENCE NORTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 422.38 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 119.53 FEET, AN ARC LENGTH OF 65.92 FEET, A CHORD BEARING OF NORTH 34 DEGREES 19 MINUTES 56 SECONDS EAST, AND A CHORD DISTANCE OF 65.08 FEET; THENCE NORTH 18 DEGREES 14 MINUTES 19 SECONDS EAST, 101.91 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 130.84 FEET, AN ARC LENGTH OF 60.67 FEET, A CHORD BEARING OF NORTH 05 DEGREES 33 MINUTES 33 SECONDS EAST, AND A CHORD DISTANCE OF 60.13 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 62.90 FEET, AN ARC LENGTH OF 68.60 FEET, A CHORD BEARING OF NORTH 46 DEGREES 43 MINUTES 36 SECONDS WEST, AND A CHORD DISTANCE OF 65.25 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 11 SECONDS WEST, 200.24 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 83.18 FEET, AN ARC LENGTH OF 96.69 FEET, A CHORD BEARING OF SOUTH 42 DEGREES 32 MINUTES 46 SECONDS WEST, AND A CHORD DISTANCE OF 91.34 FEET; THENCE SOUTH 02 DEGREES 37 MINUTES 38 SECONDS WEST, 133.91 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 45.17 FEET, AN ARC LENGTH OF 64.81 FEET, A CHORD BEARING OF SOUTH 35 DEGREES 49 MINUTES 42 SECONDS WEST, AND A CHORD DISTANCE OF 59.39 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 295.85 FEET TO AN "IRON MONUMENT"; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 86.19 FEET TO AN "IRON MONUMENT"; THENCE NORTH 05 DEGREES 27 MINUTES 31 SECONDS EAST, 171.58 FEET TO AN "IRON MONUMENT"; THENCE NORTH 43 DEGREES 39 MINUTES 49 SECONDS EAST, 153.96 FEET TO AN "IRON MONUMENT"; THENCE NORTH 52 DEGREES 12 MINUTES 02 SECONDS EAST, 129.73 FEET TO THE POINT OF BEGINNING, CONTAINING 9.85 ACRES, MORE OR LESS.

(2) Parcel No. 84-28-300-006.000-025

Acreage: 1.66

Commonly Known As: W Sandford Rd.

West Terre Haute, IN 47885

Legal Description:

2. Wastewater Pond Real Estate

Part of the Southwest Quarter of Section 28 and Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West, Vigo County, Indiana, and more particularly described as follows:

Commencing at a 5/8 inch rebar in concrete marking the Southwest corner of said section 28; thence along the West line of said section, North 00 degrees 17 minutes 22 seconds West, 140.24 feet; thence North 90 degrees 00 minutes 00 seconds East, 1159.91 feet to the POINT OF BEGINNING; thence South 02 degrees 37 minutes 38 seconds West, 133.91 feet; thence along a non-tangent curve to the right, having a radius of 45.17 feet, an arc length of 64.81 feet, a chord bearing of South 35 degrees 49 minutes 42 seconds West, and a chord distance of 59.39 feet; thence South 89 degrees 16 minutes 10 seconds East, 275.99 feet; thence along a non-tangent curve to the left, having a radius of 119.53 feet, an arc length of 65.92 feet, a chord bearing of North 34 degrees 19 minutes 56 seconds East, and a chord distance of 65.08 feet; thence North 18 degrees 14 minutes 19 seconds East, 101.91 feet; thence along a non-tangent curve to the left, having a radius of 130.84 feet, an arc length of 60.67 feet, a chord bearing of North 05 degrees 33 minutes 33 seconds East, and a chord distance of 60.13 feet; thence along a non-tangent curve to the left, having a radius of 62.90 feet, an arc length of 68.60 feet, a chord bearing of North 46 degrees 43 minutes 36 seconds West, and a chord distance of 65.25 feet; thence South 89 degrees 19 minutes 11 seconds West, 200.24 feet; thence along a non-tangent curve to the left, having a radius of 83.18 feet, an arc length of 96.69 feet, a chord bearing of South 42 degrees 32 minutes 46 seconds West, and a chord distance of 91.34 feet to the point of beginning, containing 1.66 acres, more or less.

(3) Parcel No. 84-02-32-200-008.000-025

Acreage: 15.67 (part of the 26.09 "Gasification Real Estate")

Commonly Known As: Bolton Road

West Terre Haute, IN 47885

Legal Description:

1. Gasification Property Legal Description:

PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 9 WEST, VIGO COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR IN CONCRETE MARKING THE NORTHWEST CORNER OF SAID SECTION 33, THENCE ALONG THE NORTH LINE OF SAID SECTION, NORTH 89 DEGREES 58 MINUTES 05 SECONDS EAST, 63.12 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, SOUTH 71 DEGREES 37 MINUTES 21 SECONDS WEST, 0.25 FEET FROM CORNER; THENCE ALONG THE NORTH AND EAST LINES OF A TRACT OF LAND DESCRIBED AS "TRACT 1" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY, THE FOLLOWING THREE (3) COURSES: SOUTH 67 DEGREES 34 MINUTES 34 SECONDS EAST, 292.31 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, NORTH 78 DEGREES 54 MINUTES 54 SECONDS WEST, 0.25 FEET FROM CORNER; SOUTH 38 DEGREES 57 MINUTES 34 SECONDS EAST 238.00 FEET TO A 5/8 INCH REBAR WITH CAP INSCRIBED "ROWLAND L.S. 29600015" AND HEREON CALLED AN "IRON MONUMENT"; SOUTH 00 DEGREES 37 MINUTES 33 SECONDS EAST, 741.38 FEET TO AN "IRON MONUMENT"; THENCE NORTH 89 DEGREES 33 MINUTES 08 SECONDS WEST 1145.62 FEET TO AN "IRON MONUMENT"; ON THE WEST LINE OF A TRACT OF LAND DESCRIBED AS "TRACT 2" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 18 MINUTES 11 SECONDS WEST 1031.72 FEET TO A 5/8 INCH REBAR ON THE NORTH LINE OF SAID SECTION 32; THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 45 MINUTES 28 SECONDS EAST 659.97 FEET TO THE POINT OF BEGINNING, CONTAINING 26.09 ACRES MORE OR LESS.

(4) Parcel No. 84-02-33-101-001.000-025

Acreage: 10.42 (part of the 26.09 "Gasification Real Estate")

Commonly Known As: 444 W Sandford Rd.

West Terre Haute, IN 37885

Legal Description:

1. Gasification Property Legal Description:

PART OF THE NORTHEAST QUARTER OF SECTION 32 AND PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 NORTH, RANGE 9 WEST, VIGO COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR IN CONCRETE MARKING THE NORTHWEST CORNER OF SAID SECTION 33, THENCE ALONG THE NORTH LINE OF SAID SECTION, NORTH 89 DEGREES 58 MINUTES 05 SECONDS EAST, 63.12 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, SOUTH 71 DEGREES 37 MINUTES 21 SECONDS WEST, 0.25 FEET FROM CORNER; THENCE ALONG THE NORTH AND EAST LINES OF A TRACT OF LAND DESCRIBED AS "TRACT 1" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY, THE FOLLOWING THREE (3) COURSES: SOUTH 67 DEGREES 34 MINUTES 34 SECONDS EAST, 292.31 FEET TO A POINT WITNESSED BY A 5/8 INCH REBAR, NORTH 78 DEGREES 54 MINUTES 54 SECONDS WEST, 0.25 FEET FROM CORNER; SOUTH 38 DEGREES 57 MINUTES 34 SECONDS EAST 238.00 FEET TO A 5/8 INCH REBAR WITH CAP INSCRIBED "ROWLAND L.S. 29600015" AND HEREON CALLED AN "IRON MONUMENT"; SOUTH 00 DEGREES 37 MINUTES 33 SECONDS EAST, 741.38 FEET TO AN "IRON MONUMENT"; THENCE NORTH 89 DEGREES 33 MINUTES 08 SECONDS WEST 1145.62 FEET TO AN "IRON MONUMENT"; ON THE WEST LINE OF A TRACT OF LAND DESCRIBED AS "TRACT 2" IN DEED RECORD 430, PAGE 738 IN THE RECORDERS OFFICE OF VIGO COUNTY; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 18 MINUTES 11 SECONDS WEST 1031.72 FEET TO A 5/8 INCH REBAR ON THE NORTH LINE OF SAID SECTION 32; THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 45 MINUTES 28 SECONDS EAST 659.97 FEET TO THE POINT OF BEGINNING, CONTAINING 26.09 ACRES MORE OR LESS.

(5) Parcel No. 84-02-32-200-013.000-025

Acreage: 3.47

Commonly Known As: Sandford Rd.

West Terre Haute, IN 37885

Legal Description:

2. Tract 1 (par of Unit 1 Real Property)

Commencing at a 1 inch Iron Pin marking the Southwest Corner of the East Half of the Southeast Quarter of the Northeast Quarter of said Section 32; thence along the West line of said East Half, North 00 degrees 18 minutes 11 seconds West 1162.11 feet; thence continuing North 00 degrees 18 minutes 11 seconds West 139.94 Feet to a 5/8" rebar with yellow cap stamped" Schneider Firm#0001" hereafter referred To as "Rebar" and the Point of Beginning; thence continuing North 00 degrees 18 minutes 11 seconds West 268.99 feet to the Northwest corner of a tract of land recorded as Instrument Number 2008000499 in the Office of the Vigo County Recorder; thence South 89 degrees 33 minutes 08 seconds East along the North line of said tract 494.09 feet to a "Rebar"; thence South 00 degrees 39 minutes 56 seconds West 355.06 feet to a "Rebar"; thence North 88 degrees 48 minutes 44 seconds West 168.26 feet to a "Rebar"; thence North 01 degrees 59 minutes 51 seconds West 56.66 feet to a "Rebar"; thence North 84 degrees 39 minutes 09 seconds West 319.72 feet to a "Rebar" and the point of beginning. Containing 3.47 acres, more or less.

(6) Parcel No. 84-02-33-101-005.000-025

Acreage: 1.59

Commonly Known As: 444 Sandford Rd.

West Terre haute, IN 47885

Legal Description:

Tract 2 (Part of Unit 1 Real Property) (Corrected Legal Description)

Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West, Vigo County, Indiana, being more particularly described as follows:

Commencing at a 1 inch Iron Pin marking the Southwest Corner of the of the East Half of The Southeast Quarter of the Northeast Quarter of said Section 32; Thence along the West line of said East Half; thence North 00 degrees 18 minutes 11 seconds West 1571.04 feet to the Northwest corner of a tract of land recorded as Instrument Number 2008000499 in the Office of the Vigo County Recorder; thence South 89 degrees 33 minutes 08 seconds East 1145.62 feet to he northeast corner thereof and the Point of Beginning; thence South 00 degrees 37 minutes 33 seconds East 267.04 feet to a 5/8" rebar with yellow cap stamped "Schneider Firm#0001" hereafter referred to as "Rebar"; thence South 89 degrees 22 minutes 27 seconds West 259.20 feet to a Mag Nail with Washer stamped "Schneider Firm#0001"; thence North 00 degrees 14 minutes 20 seconds East 271.86 feet to a Mag Nail with a Washer stamped "Schneider Firm#0001" and the north line of said tract; thence South 89 degrees 33 minutes 08 seconds East along said north line 255.14 feet; to the point of beginning. Containing 1.59 acres, more or less.

(7) Parcel No. 84-02-33-154-005.000-025

Acreage: 0.498

Commonly Known As: N/a

Legal Description:

Land Description – Water Intake Parcel

(Parcel No. 84-02-33-101-009.000-025)

Part of the West Half of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana, being that 0.498-acre tract of land shown on a survey entitled "Wabash River Station WVR Transaction Boundary Survey" certified by Joshua David Werner, Professional Surveyor #LS21200020 on June 29, 2021 (Schneider Geomatics project number 13146) and being described as follows (all reference monuments, bearings, and distances are as shown on said survey):

COMMENCING at a 1/2-inch bolt in concrete marking the Southwest Corner of the Northwest Quarter of said Section 33, thence South 89 degrees 59 minutes 33 seconds East (basis of bearings is the Indiana State Plane Coordinate System -West Zone, NAD 83) 607.25 feet (all distances in this description are horizontal ground distances) to a point on an easterly line of a tract of land recorded in Instrument #2020005216 in the Office of the Recorder of Vigo County, Indiana, said point being on a non-tangent curve to the right having a radius of 1,350.00 feet, the radius point of which bears North 84 degrees 37 minutes 54 seconds East from said point; the next 6 courses being along the easterly line, southerly lines, and westerly line of said tract of land; (1) thence northerly along said curve an arc distance of 136.85 feet to a point which bears North 89 degrees 33 minutes 37 seconds West from said radius point, said point being marked by a found 5/8-inch rebar with cap stamped "Schneider Firm#0001" (hereinafter referred to as a "Rebar"); (2) thence North 00 degrees 27 minutes 47 seconds East 489.63 feet to a found Rebar; (3) thence South 89 degrees 29 minutes 02 seconds East 306.55 feet to a set Rebar being the POINT OF BEGINNING; (4) thence continuing South 89 degrees 29 minutes 02 seconds East 77.92 feet to a set Rebar; (5) thence South 00 degrees 57 minutes 28 seconds West 154.12 feet to a cut "X" set; (6) thence North 90 degrees 00 minutes 00 seconds East 80.17 feet to a set Rebar on the west bank of the Wabash River; thence along the west bank of the Wabash River the following 7 courses; (1) thence South 27 degrees 01 minute 05 seconds East 6.76 feet; (2) thence South 47 degrees 48 minutes 48 seconds West 4.34 feet; (3) thence South 56 degrees 32 minutes 49 seconds West 8.38 feet; (4) thence South 33 degrees 43 minutes 33 seconds West 7.11 feet; (5) thence South 19 degrees 40 minutes 00 seconds West 20.32 feet; (6) thence South 04 degrees 52 minutes 40 seconds West 9.83 feet; (7) thence South 06 degrees 07 minutes 11 seconds East 20.47 feet to a set Rebar; thence leaving said West bank North 88 degrees 52 minutes 15 seconds West 140.95 feet to a set Rebar; thence North 00 degrees 30 minutes 58 seconds East 220.79 feet to the POINT OF BEGINNING; containing 0.498 acres, more or less.

(8) Parcel No. 84-02-33-101-010.000-025

Acreage: 70.3 acres

Commonly Known As: 444 W Sandford Rd.

West Terre Haute, IN 47885

Legal Description:

PURCHASED REAL ESTATE-LAND DESCRIPTION

PARCEL 1 - FEE

Part of the Southwest Quarter of Section 28 and part of the West half of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana, being that 70.581 acre tract of land shown on a survey entitled "Wabash River Generating Station – WVR Transfer Survey" certified by William A. Schmidt, Professional Surveyor #LS87001 on November 12, 2019 (The Schneider Corporation project number 9141.069) and being described as follows (all references to monuments, bearings and distances are as shown on said survey):

Beginning at a 5/8 inch rebar marking the Southwest corner of said Section 28; thence North 00 degrees 17 minutes 15 seconds West (basis of bearings is the Indiana State Plane Coordinate System – West Zone, NAD 83) along the West line of said Section 28 a distance of 2090.00 feet to a point (witnessed by a Mag nail with washer stamped "Hennessy 20200026, South 89 degrees 52 minutes 08 seconds West, 0.25 feet from said point) ; thence North 89 degrees 52 minutes 08 seconds East 856.01 feet to a 5/8 inch rebar with cap stamped "Schneider Firm #0001" and hereon called an "iron monument"; thence South 00 degrees 22 minutes 33 seconds East 514.58 feet to an "iron monument"; thence South 03 degrees 51 minutes 29 seconds West 627.53 feet to an "iron monument"; thence South 03 degrees 24 minutes 06 seconds West 954.82 feet to an "iron monument"; thence South 03 degrees 41 minutes 52 seconds West 35.52 feet to an "iron monument" on the westerly extension of the South line of a tract of land as described in Instrument #2019000831 in said recorder's office; thence South 89 degrees 17 minutes 29 seconds East along said extension and South line of said tract of land 1070.20 feet to a point on the West bank of the Wabash River (witnessed by an "iron monument" North 89 degrees 17 minutes 29 seconds West 1.50 feet from said point); thence along the West bank of the Wabash River the following twenty-one (21) courses and distances: South 43 degrees 40 minutes 26 seconds West 28.42 feet; thence South 30 degrees 54 minutes 55 seconds West 291.88 feet; thence South 23 degrees 49 minutes 39 seconds West 119.15 feet; thence South 33 degrees 05 minutes 06 seconds West 47.77 feet; thence South 28 degrees 35 minutes 25 seconds West 144.81 feet; thence South 20 degrees 51 minutes 21 seconds West 84.88 feet; thence South 24 degrees 17 minutes 59 seconds West 90.03 feet; thence South 44 degrees 07 minutes 03 seconds West 33.20 feet; thence South 23 degrees 09 minutes 31 seconds West 65.45 feet; thence South 01 degrees 28 minutes 52 seconds East 28.19 feet; thence South 24 degrees 52 minutes 28 seconds West 91.68 feet; thence South 28 degrees 28 minutes 01 seconds West 79.43 feet; thence South 18 degrees 03 minutes 58 seconds West 147.85 feet; thence South 22 degrees 37 minutes 53 seconds West 135.80 feet; thence South 18 degrees 12 minutes 56 seconds West 227.77 feet; thence South 04 degrees 40 minutes 47 seconds West 43.64 feet; thence South 11 degrees

37 minutes 03 seconds West 199.05 feet; thence South 02 degrees 33 minutes 53 seconds West 170.56 feet; thence South 06 degrees 30 minutes 02 seconds West 52.09 feet; thence South 10 degrees 40 minutes 34 seconds East 72.16 feet; thence South 08 degrees 07 minutes 35 seconds West 87.66 feet to a point (witnessed by an "iron monument North 08 degrees 07 minutes 35 seconds East 87.66 feet from said point; thence leaving said West bank a bearing of North 90 degrees 00 minutes 00 seconds West 87.22 feet to the East line of the existing Wabash Generating Station building; thence North 00 degrees 57 minutes 28 seconds East along said East line and the northerly extension thereof a distance of 154.12 feet to the easterly extension of the North line of the existing line of said building; thence North 89 degrees 29 minutes 02 seconds West along the North line of said building and the extension thereof 384.47 feet to an "iron monument"; thence South 00 degrees 27 minutes 47 seconds West 489.63 feet to an "iron monument on a non-tangent curve having a radius of 1350.00 feet, the radius point of which bears South 89 degrees 33 minutes 37 seconds East; thence southerly along said curve to the left an arc distance of 200.74 feet to an "iron monument" which bears South 81 degrees 55 minutes 13 seconds West from said radius point; thence South 08 degrees 04 minutes 47 seconds East 86.28 feet to a Mag Nail with washer stamped "Schneider Firm #0001"; thence South 81 degrees 55 minutes 13 seconds East; thence northerly along said curve to the right an arc distance of 208.17 feet to an "iron monument" which bears North 89 degrees 33 minutes 37 seconds West from said radius point; thence North 00 degrees 26 minutes 23 seconds East 434.84 feet to an "iron monument"; thence North 00 degrees 38 minutes 53 seconds East 169.17 feet to an "iron monument" on a tangent curve having a radius of 1250.00 feet, the radius point of which bears North 89 degrees 21 minutes 07 seconds West; thence northerly along said curve to the left an arc distance 74.84 feet to an "iron monument" which bears North 87 degrees 13 minutes 04 seconds East from said radius point; thence North 02 degrees 46 minutes 56 seconds West 56.67 feet to an "iron monument" on a tangent curve having a radius of 1475.00 feet, the radius point of which bears North 87 degrees 13 minutes 04 seconds East; thence northerly along said curve to the right an arc distance of 71.51 feet to an "iron monument" which bears South 89 degrees 59 minutes 43 seconds West from said radius point; thence North 89 degrees 29 minutes 53 seconds West 176.87 feet to an "iron monument" on the East line of a tract of land described in Instrument #2008000449 in said recorder's office; thence along the Easterly lines of said tract the following three (03) courses and distances: North 00 degrees 02 minutes 56 seconds West 213.74 feet to a 5/8 inch rebar with cap inscribed "LS29600015 Rowland"; thence North 89 degrees 54 minutes 09 seconds East a distance of 108.60 feet to a 5/8 inch rebar; thence North 00 degrees 36 minutes 17 seconds West 396.10 feet to a 5/8 inch rebar with cap inscribed "LS29600015 Rowland" marking the Southeast corner of a tract of land as described in Instrument #2019000830 in said recorder's office; thence along the Easterly lines of said tract of land the following four (04) courses and distances: North 00 degrees 38 minutes 33 seconds West 741.38 feet to an "iron monument"; thence North 38 degrees 54 minutes 10 seconds West 238.00 feet to a 5/8 inch rebar; thence North 67 degrees 34 minutes 41 seconds West 292.40 feet to a 5/8 inch rebar; thence North 89 degrees 59 minutes 50 seconds West a distance of 63.05 feet to the point of beginning. Containing 80.268 acres, more or less.

Excepting therefrom the following described real estate:

Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana and being described as follows:

Commencing at a 5/8 inch rebar marking the Northwest corner of said Section 33; thence South 89 degrees 59 minutes 50 seconds East (basis of bearing is the Indiana State Plane Coordinate System –

West Zone, NAD 83) along the North line of said section 33 a distance of 750.13 feet; thence South 03 degrees 41 minutes 52 seconds West 62.90 feet to a 5/8 inch rebar with cap stamped "Schneider Firm #0001" and hereon called an "iron monument" marking the Point of Beginning; thence South 89 degrees 18 minutes 52 seconds East 722.47 feet to an "iron

monument"; thence South 17 degrees 36 minutes 38 seconds West 742.11 feet to an "iron monument"; thence North 78 degrees 33 minutes 09 seconds West 550.64 feet to an "iron monument"; thence North 04 degrees 22 minutes 36 seconds East 217.28 feet to an "iron monument"; thence North 03 degrees 41 minutes 52 seconds East 390.86 feet to the point of beginning. Containing 9.687 acres, more or less.

Leaving after said exception, 70.581 acres, more or less.

PARCEL 2 - EASEMENT

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS KNOWN AS THE WVR POTTSVILLE STREET EASEMENT RECORDED 5/11, 2020 AS INSTRUMENT NO. 2020005214, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA.

PARCEL 3 - EASEMENT

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS KNOWN AS THE WVR BOLTON ROAD EASEMENT RECORDED 5/11, 2020 AS INSTRUMENT NO. 2020005215, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA.

PARCEL 4 - EASEMENT

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS KNOWN AS THE POTTSVILLE STREET EASEMENT RECORDED 5/11, 2020 AS INSTRUMENT NO. 2020005218, IN THE OFFICE OF THE RECORDER OF VIGO COUNTY, INDIANA.

(9) Parcel No. 84-02-33-101-011.000-025

Acreage: 0.281

Commonly Known As: n/a

Legal Description:

(Parcel No. 84-02-33-101-010.000-025)

Part of the West Half of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian, Fayette Township, Vigo County, Indiana, being that 0.281-acre tract of land shown on a survey entitled "Wabash River Station WVR Transaction Boundary Survey" certified by Joshua David Werner, Professional Surveyor #LS21200020 on June 29, 2021 (Schneider Geomatics project number 13146) and being described as follows (all reference monuments, bearings, and distances are as shown on said survey):

COMMENCING at a 1/2-inch bolt in concrete marking the Southwest Corner of the Northwest Quarter of said Section 33; thence South 89 degrees 59 minutes 33 seconds East (basis of bearings is the Indiana State Plane Coordinate System – West Zone, NAD 83) 607.25 feet (all distances in this description are horizontal ground distances) to a point on an easterly line of a tract of land recorded in Instrument #2020005216 in the Office of the Recorder of Vigo County, Indiana, said point being on a non-tangent curve to the right having a radius of 1,350.00 feet, the radius point of which bears North 84 degrees 37 minutes 54 seconds East from said point; the next 3 courses being along the easterly line, southerly lines, and westerly line of said tract of land; (1) thence northerly along said curve an arc distance of 136.85 feet to a point which bears North 89 degrees 33 minutes 37 seconds West from said radius point, said point being marked by a found 5/8-inch rebar with cap stamped "Schneider Firm #0001" (hereinafter referred to as a "Rebar"); (2) thence North 00 degrees 27 minutes 47 seconds East 489.63 feet to a found Rebar; (3) thence South 89 degrees 29 minutes 02 seconds East 325.20 feet; thence North 00 degrees 36 minutes 23 seconds East 53.60 feet to a set Mag nail with washer stamped "Schneider Firm #0001" (hereinafter referred to as "Mag Nail") being the POINT OF BEGINNING; thence continuing North 00 degrees 36 minutes 23 seconds East 174.05 feet to a set Mag Nail; thence North 89 degrees 43 minutes 58 seconds West 10.08 feet to a set Mag Nail; thence North 00 degrees 10 minutes 36 seconds West 39.36 feet to a set Mag Nail; thence South 89 degrees 12 minutes 51 seconds East 44.23 feet; thence South 68 degrees 02 minutes 29 seconds East 30.16 feet to a set Rebar; thence South 18 degrees 21 minutes 49 seconds West 23.64 feet to a set Rebar; thence South 00 degrees 49 minutes 54 seconds West 72.70 feet to a set Rebar; thence South 89 degrees 10 minutes 06 seconds East 9.27 feet to a set Rebar; thence South 00 degrees 49 minutes 54 seconds West 25.00 feet to a set Rebar; thence North 89 degrees 10 minutes 06 seconds West 9.27 feet to a set Rebar; thence South 00 degrees 49 minutes 54 seconds West 83.45 feet, passing a set rebar at 78.45 feet; thence North 87 degrees 52 minutes 48 seconds West 53.79 feet, passing a cut "X" set at 5.00 feet, to the POINT OF BEGINNING, containing 0.281 acres, more or less.

(10) Parcel No. 84-02-28-300-001.000-025

Acreage: 6.81 acres

Commonly Known As: N/a

Legal Description:

PARCEL 2

S SURFACE ONLY OF PART OF THE WEST HALF OF THE WEST HALF OF SECTION TWENTY-EIGHT (28); AND, PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28, TOWNSHIP 13 NORTH, RANGE 9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD, EXCEPT A TRACT CONVEYED TO THE SOUTHERN INDIANA RAILROAD COMPANY, BY DEED RECORDED IN DEED RECORD 113, PAGE 328 DESCRIBED AS FOLLOWS: A TRIANGULAR TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28-13-9 WEST, BEING ALL THAT PART OF SAID QUARTER SECTION LYING WEST OF THE CENTER LINE OF DURKEE'S FERRY ROAD, AND NORTH AND EAST OF A LINE PARALLEL TO AND 150 FEET SOUTHWESTERLY FROM THE CENTER LINE OF THE GRANTEE'S EXTENSION THROUGH VIGO COUNTY AS NOW LOCATED; ALSO EXCEPTING A TRACT CONVEYED TO

SOUTHERN CONSTRUCTION COMPANY, BY DEED RECORDED IN DEED RECORD 267, PAGE 7, DESCRIBED AS FOLLOWS: ALL THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28-13-9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD AND SOUTH OF THE FRANK LEEK GRAVEL ROAD, AS SAID ROADS ARE NOW LAID OUT AND ESTABLISHED, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF WEST FRACTIONAL SECTION 28-13-9 WEST, 1,549.95 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 540 FEET TO THE CENTER OF THE FRANK LEEK GRAVEL ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE EASTWARDLY ALONG THE CENTERLINE OF SAID ROAD 769 FEET TO THE CENTER OF THE DURKEE'S FERRY ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE SOUTHWARDLY ALONG THE CENTER OF SAID ROAD 550 FEET TO AN IRON PIN; THENCE WESTWARDLY 805 FEET TO THE POINT OF BEGINNING, LEAVING AFTER EXCEPTIONS 7.0 ACRES, MORE OR LESS.

THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST, EXCEPT THE FOLLOWING: A TRACT CONVEYED TO VICTORY SERVICES CORPORATION AND IS DESCRIBED AS THAT PART LYING NORTH OF THE THOMAS LEEK GRAVEL ROAD IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29-13-9 WEST; ALSO EXCEPTING A TRACT CONVEYED TO THOMAS AND MARY LEEK, BY DEED RECORDED IN DEED RECORD 211, PAGE 573, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 679 FEET DUE SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29; RUNNING THENCE DUE EAST 388.4 FEET; THENCE SOUTH 673 FEET; THENCE WEST 388.4 FEET; THENCE NORTH 673 FEET TO THE PLACE OF

BEGINNING, LEAVING AFTER EXCEPTIONS 136 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 5.2 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM EACH OF THE ABOVE TRACTS OR INTERESTS IN SAID TRACTS: PIPELINE EASEMENTS HERETOFORE GRANTED TO SHELL OIL COMPANY AND EASEMENTS HERETOFORE GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 148.2 ACRES, MORE OR LESS.

SUBJECT TO RIGHT OF WAY EASEMENT BETWEEN PEABODY COAL COMPANY, A DELAWARE CORPORATION AND MIDWESTERN GAS TRANSMISSION COMPANY, A DELAWARE CORPORATION, AS SHOWN BY INSTRUMENT DATED DECEMBER 20, 2000 AND RECORDED ON JANUARY 9, 2001 AS INSTRUMENT NUMBER 20010494 IN RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE

(11) Parcel No. 84-02-32-200-001.000-025

Acreage: 40

Commonly Known As: N/a

Legal Description:

PARCEL 1

SURFACE ONLY OF PARTS OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER CONTAINING 40 ACRES, MORE OR LESS, AND THE EAST HALF OF THE NORTHEAST QUARTER WITH THE FOLLOWING THREE EXCEPTIONS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER 30 FEET EAST OF THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHWARDLY PARALLEL TO, AND 30 FEET EAST OF THE WEST LINE OF SAID HALF QUARTER SECTION A DISTANCE OF 208.71 FEET TO A STAKE; THENCE EASTWARDLY PARALLEL TO THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO A STAKE; THENCE SOUTHWARDLY PARALLEL TO THE WEST LINE OF SAID HALF QUARTER SECTION TO A POINT ON THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 208.71 FEET; THENCE WESTWARDLY ON AND ALONG THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO THE PLACE OF BEGINNING; CONTAINING IN ALL 1.5 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, AND RUNNING THENCE SOUTH 0 DEGREES 38 MINUTES WEST ON AND ALONG THE EAST LINE OF SAID SECTION 32, 1,435.0 FEET TO A POINT; THENCE WEST 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST 1,440.2 FEET, PLUS OR MINUS, TO THE NORTH LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 32 MINUTES EAST ON AND ALONG THE NORTH LINE OF SAID SECTION 32, 660.0 FEET PLUS OR MINUS, TO THE PLACE OF BEGINNING CONTAINING 21.78 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES WEST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST, 1,162.8 FEET TO A POINT WHICH IS 1,440.2 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTH LINE OF SAID SECTION 32; THENCE EAST 660 FEET TO A POINT ON THE EAST LINE OF SECTION 32 WHICH POINT IS 1,435.0 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32, 1,158.45 FEET TO THE PLACE OF BEGINNING; CONTAINING 17.62 ACRES, MORE OR LESS.

CONTAINING AFTER EXCEPTIONS 37.9 ACRES, MORE OR LESS.

ALSO:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 4.3 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63 CONTAINING 2.6 ACRES, MORE OR LESS.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 84.8 ACRES, MORE OR LESS.

SUBJECT TO RIGHTS GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC., BY INSTRUMENT DATED DECEMBER 7, 1954, AND RECORDED IN DEED RECORD 287 AT PAGE 245 OF THE RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE SURFACE OWNER, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR SUBSIDENCE OR REMOVAL OF SUBJACENT OR LATERAL SUPPORT.

(12) Parcel No. 84-02-32-100-005.000-025

Acreage: 6.9

Commonly Known As: N/a

Legal Description:

PARCEL 1

PARCEL 1

SURFACE ONLY OF PARTS OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER CONTAINING 40 ACRES, MORE OR LESS, AND THE EAST HALF OF THE NORTHEAST QUARTER WITH THE FOLLOWING THREE EXCEPTIONS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER 30 FEET EAST OF THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHWARDLY PARALLEL TO, AND 30 FEET EAST OF THE WEST LINE OF SAID HALF QUARTER SECTION A DISTANCE OF 208.71 FEET TO A STAKE; THENCE EASTWARDLY PARALLEL TO THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO A STAKE; THENCE SOUTHWARDLY PARALLEL TO THE WEST LINE OF SAID HALF QUARTER SECTION TO A POINT ON THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 208.71 FEET; THENCE WESTWARDLY ON AND ALONG THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO THE PLACE OF BEGINNING; CONTAINING IN ALL 1.5 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, AND RUNNING THENCE SOUTH 0 DEGREES 38 MINUTES WEST ON AND ALONG THE EAST LINE OF SAID SECTION 32, 1,435.0 FEET TO A POINT; THENCE WEST 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST 1,440.2 FEET, PLUS OR MINUS, TO THE NORTH LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 32 MINUTES EAST ON AND ALONG THE NORTH LINE OF SAID SECTION 32, 660.0 FEET PLUS OR MINUS, TO THE PLACE OF BEGINNING CONTAINING 21.78 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES WEST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST, 1,162.8 FEET TO A POINT WHICH IS 1,440.2 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTH LINE OF SAID SECTION 32; THENCE EAST 660 FEET TO A POINT ON THE EAST LINE OF SECTION 32 WHICH POINT IS 1,435.0 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32, 1,158.45 FEET TO THE PLACE OF BEGINNING; CONTAINING 17.62 ACRES, MORE OR LESS.

CONTAINING AFTER EXCEPTIONS 37.9 ACRES, MORE OR LESS.

ALSO:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 4.3 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63 CONTAINING 2.6 ACRES, MORE OR LESS.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 84.8 ACRES, MORE OR LESS.

SUBJECT TO RIGHTS GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC., BY INSTRUMENT DATED DECEMBER 7, 1954, AND RECORDED IN DEED RECORD 287 AT PAGE 245 OF THE RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE SURFACE OWNER, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR SUBSIDENCE OR REMOVAL OF SUBJACENT OR LATERAL SUPPORT.

(13) Parcel No. 84-02-32-200-007.000-025

Acreage: 39.1

Commonly Known As: N/a

Legal Description:

PARCEL 1

SURFACE ONLY OF PARTS OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER CONTAINING 40 ACRES, MORE OR LESS, AND THE EAST HALF OF THE NORTHEAST QUARTER WITH THE FOLLOWING THREE EXCEPTIONS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER 30 FEET EAST OF THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHWARDLY PARALLEL TO, AND 30 FEET EAST OF THE WEST LINE OF SAID HALF QUARTER SECTION A DISTANCE OF 208.71 FEET TO A STAKE; THENCE EASTWARDLY PARALLEL TO THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO A STAKE; THENCE SOUTHWARDLY PARALLEL TO THE WEST LINE OF SAID HALF QUARTER SECTION TO A POINT ON THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 208.71 FEET; THENCE WESTWARDLY ON AND ALONG THE SOUTH LINE OF SAID HALF QUARTER SECTION, A DISTANCE OF 312.0 FEET TO THE PLACE OF BEGINNING; CONTAINING IN ALL 1.5 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, AND RUNNING THENCE SOUTH 0 DEGREES 38 MINUTES WEST ON AND ALONG THE EAST LINE OF SAID SECTION 32, 1,435.0 FEET TO A POINT; THENCE WEST 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST 1,440.2 FEET, PLUS OR MINUS, TO THE NORTH LINE OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 32 MINUTES EAST ON AND ALONG THE NORTH LINE OF SAID SECTION 32, 660.0 FEET PLUS OR MINUS, TO THE PLACE OF BEGINNING CONTAINING 21.78 ACRES, MORE OR LESS.

ALSO, BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; RUNNING THENCE SOUTH 89 DEGREES 37 MINUTES WEST ON AND ALONG THE SOUTH LINE OF SAID QUARTER SECTION 660 FEET; THENCE NORTH 0 DEGREES 38 MINUTES EAST, 1,162.8 FEET TO A POINT WHICH IS 1,440.2 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTH LINE OF SAID SECTION 32; THENCE EAST 660 FEET TO A POINT ON THE EAST LINE OF SECTION 32 WHICH POINT IS 1,435.0 FEET SOUTH 0 DEGREES 38 MINUTES WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32, 1,158.45 FEET TO THE PLACE OF BEGINNING; CONTAINING 17.62 ACRES, MORE OR LESS.

CONTAINING AFTER EXCEPTIONS 37.9 ACRES, MORE OR LESS.

ALSO:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 4.3 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63 CONTAINING 2.6 ACRES, MORE OR LESS.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 84.8 ACRES, MORE OR LESS.

SUBJECT TO RIGHTS GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC., BY INSTRUMENT DATED DECEMBER 7, 1954, AND RECORDED IN DEED RECORD 287 AT PAGE 245 OF THE RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE SURFACE OWNER, INCLUDING WITHOUT LIMITATION ANY LIABILITY FOR SUBSIDENCE OR REMOVAL OF SUBJACENT OR LATERAL SUPPORT.

(14) Parcel No. 84-02-29-400-004.000-025

Acreage: 141.2

Commonly Known As: N/a

Legal Description:

PARCEL 2

SURFACE ONLY OF PART OF THE WEST HALF OF THE WEST HALF OF SECTION TWENTY-EIGHT (28); AND, PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-NINE (29), TOWNSHIP THIRTEEN (13) NORTH, RANGE NINE (9) WEST, FAYETTE TOWNSHIP, VIGO COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28, TOWNSHIP 13 NORTH, RANGE 9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD, EXCEPT A TRACT CONVEYED TO THE SOUTHERN INDIANA RAILROAD COMPANY, BY DEED RECORDED IN DEED RECORD 113, PAGE 328 DESCRIBED AS FOLLOWS: A TRIANGULAR TRACT OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28-13-9 WEST, BEING ALL THAT PART OF SAID QUARTER SECTION LYING WEST OF THE CENTER LINE OF DURKEE'S FERRY ROAD, AND NORTH AND EAST OF A LINE PARALLEL TO AND 150 FEET SOUTHWESTERLY FROM THE CENTER LINE OF THE GRANTEE'S EXTENSION THROUGH VIGO COUNTY AS NOW LOCATED; ALSO EXCEPTING A TRACT CONVEYED TO

SOUTHERN CONSTRUCTION COMPANY, BY DEED RECORDED IN DEED RECORD 267, PAGE 7, DESCRIBED AS FOLLOWS: ALL THAT PART OF THE NORTH HALF OF THE SOUTH HALF OF WEST FRACTIONAL SECTION 28-13-9 WEST, LYING WEST OF THE DURKEE'S FERRY ROAD AND SOUTH OF THE FRANK LEEK GRAVEL ROAD, AS SAID ROADS ARE NOW LAID OUT AND ESTABLISHED, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF WEST FRACTIONAL SECTION 28-13-9 WEST, 1,549.95 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 540 FEET TO THE CENTER OF THE FRANK LEEK GRAVEL ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE EASTWARDLY ALONG THE CENTERLINE OF SAID ROAD 769 FEET TO THE CENTER OF THE DURKEE'S FERRY ROAD AS NOW LAID OUT AND ESTABLISHED; THENCE SOUTHWARDLY ALONG THE CENTER OF SAID ROAD 550 FEET TO AN IRON PIN; THENCE WESTWARDLY 805 FEET TO THE POINT OF BEGINNING, LEAVING AFTER EXCEPTIONS 7.0 ACRES, MORE OR LESS.

THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST, EXCEPT THE FOLLOWING: A TRACT CONVEYED TO VICTORY SERVICES CORPORATION AND IS DESCRIBED AS THAT PART LYING NORTH OF THE THOMAS LEEK GRAVEL ROAD IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29-13-9 WEST; ALSO EXCEPTING A TRACT CONVEYED TO THOMAS AND MARY LEEK, BY DEED RECORDED IN DEED RECORD 211, PAGE 573, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 679 FEET DUE SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29; RUNNING THENCE DUE EAST 388.4 FEET; THENCE SOUTH 673 FEET; THENCE WEST 388.4 FEET; THENCE NORTH 673 FEET TO THE PLACE OF

BEGINNING, LEAVING AFTER EXCEPTIONS 136 ACRES, MORE OR LESS.

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 9 WEST LYING EAST OF THE RIGHT-OF-WAY FOR STATE HIGHWAY 63, CONTAINING 5.2 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM EACH OF THE ABOVE TRACTS OR INTERESTS IN SAID TRACTS: PIPELINE EASEMENTS HERETOFORE GRANTED TO SHELL OIL COMPANY AND EASEMENTS HERETOFORE GRANTED TO PUBLIC SERVICE COMPANY OF INDIANA, INC.

CONTAINING IN ALL, AFTER SAID EXCEPTIONS, 148.2 ACRES, MORE OR LESS.

SUBJECT TO RIGHT OF WAY EASEMENT BETWEEN PEABODY COAL COMPANY, A DELAWARE CORPORATION AND MIDWESTERN GAS TRANSMISSION COMPANY, A DELAWARE CORPORATION, AS SHOWN BY INSTRUMENT DATED DECEMBER 20, 2000 AND RECORDED ON JANUARY 9, 2001 AS INSTRUMENT NUMBER 20010494 IN RECORDS OF THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.

EXCEPT ALL COAL, OIL, GAS, COAL BED METHANE AND OTHER MINERALS OF ANY NATURE WHATSOEVER IN OR UNDER THE ABOVE-DESCRIBED REAL PROPERTY TO THE EXTENT NOT PREVIOUSLY SEVERED, TOGETHER WITH THE RIGHT TO EXPLORE FOR, DEVELOP, MINE AND PRODUCE THE SAME BY ANY MEANS EXCEPT BY SURFACE MINING METHODS, WITHOUT LIABILITY TO THE

(15) Parcel No. 84-02-33-101-009.000-025

Acreage: 9.687

Commonly Known As: N/a

Legal Description:

Part of the Northwest Quarter of Section 33, Township 13 North, Range 9 West of the Second Principal Meridian in Vigo County, Indiana, being described as follows:

Commencing at a 5/8 inch rebar marking the Northwest corner of said Section 33; thence South 89 degrees 59 minutes 50 seconds East (basis of bearings is the Indiana State Plane Coordinate System - West Zone, NAD 83) along the North line of said Section 33 a distance of 750.13 feet; thence South 03 degrees 41 minutes 52 seconds West 62.90 feet to the Point of Beginning; thence South 89 degrees 18 minutes 52 seconds East 722.47 feet; thence South 17 degrees 36 minutes 38 seconds West 742.11 feet; thence North 78 degrees 33 minutes 09 seconds West 550.64 feet; thence N01th 04 degrees 22 minutes 36 seconds East 217.28 feet; thence N01th 03 degrees 41 minutes 52 seconds East 390.86 feet; to the point of beginning. Containing 9.687 acres, more or less.



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R7 / 1-21)

Prescribed by the Department of Local Government Finance

20__ PAY 20__

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the county auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between January 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the county auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1

TAXPAYER INFORMATION

Name of taxpayer

Wabash Valley Resources LLC

Address of taxpayer (number and street, city, state, and ZIP code)

444 West Sanford Ave., West Terre Haute, IN 47885

Name of contact person

Dan Williams, Chief Operating Officer

Telephone number

(812) 281-2800

E-mail address

dwilliams@wvresc.com

SECTION 2

LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body

Vigo County Council

Resolution number

DLGF taxing district number
84-003

Location of property

444 West Sanford Ave., West Terre Haute, IN 47885

County

Vigo

Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary)

Wabash Valley Resources - Wabash Project and associated properties.
See attached details

Estimated start date (month, day, year)
Feb. 1, 2024

Estimated completion date (month, day, year)
December 31, 2026

SECTION 3

ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current Number

17.00

Salaries

\$2,233,404.00

Number Retained

17.00

Salaries

\$2,233,404.00

Number Additional

107.00

Salaries

\$13,450,596.00

SECTION 4

ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

REAL ESTATE IMPROVEMENTS

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values		4,246,700.00
Plus estimated values of proposed project	67,600,000.00	
Less values of any property being replaced	0.00	
Net estimated values upon completion of project		

SECTION 5

WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____

Estimated hazardous waste converted (pounds) _____

Other benefits

In addition to the employees listed in Section 3, the project will create an estimated 360 construction jobs on average for up to approximately two and one half (2.5) years. Estimates herein are for Phase I of the overall project, both real and personal property improvements.

SECTION 6

TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative

Dan Williams

Date signed (month, day, year)

5-22-2023

Printed name of authorized representative

Daniel Williams

Title

Chief Operating Officer

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed N/A calendar years* (see below). The date this designation expires is N/A. NOTE: This question addresses whether the resolution contains an expiration date for the designated area.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☒ No
 2. Residentially distressed areas ☐ Yes ☒ No
- C. The amount of the deduction applicable is limited to \$ N/A.
- D. Other limitations or conditions (specify) Use of National Maintenance Agreements for construction; no limit in C. above
- E. Number of years allowed: ☒ Year 1 ☒ Year 2 ☒ Year 3 ☒ Year 4 ☒ Year 5 (* see below)
☒ Year 6 ☒ Year 7 ☒ Year 8 ☒ Year 9 ☒ Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☒ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body R. Todd Thacker	Name of designating body Vigo County Council	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. Except as provided in IC 6-1.1-12.1-18, the deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☐ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. Except as provided in IC 6-1.1-12.1-18, the deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Wabash Valley Resources LLC

Attachment to SB-1

Wabash Valley Resources LLC proposes to construct a facility for the production of anhydrous ammonia with carbon capture and sequestration technology. The facility will use feedstock to produce clean hydrogen and anhydrous ammonia which is used in fertilizer and many other industrial applications. Though some aspects of the project are still under development, the project may include construction of on-site electrical generation equipment.

This abatement application is for Phase I of the project, which phase is anticipated to have a total cost of approximately \$770,600,000, including investments in both real property and new manufacturing equipment; of this amount, approximately \$703,000,000, is the estimated cost for new manufacturing equipment and approximately \$67,600,000 is the estimated cost for real property improvements. New and retained employees and salaries are estimated as indicated on the attached SB-1.

Phase II of the project is not part of this abatement application. Phase II is expected to involve pipeline infrastructure and injection wells to be installed outside of the ERA requested in this application. Accordingly, a separate abatement application is anticipated for Phase II. Total costs for Phases I and II of the project are currently estimated at approximately \$70,100,000 for real property improvements and \$766,600,000 for new manufacturing equipment. Total estimated tax abatement for both phases is estimated to be \$789,505,000, with total project expenditures for both phases, including land and existing plant upgrades estimated to be approximately \$908,461,000.

These figures are preliminary and may change as project development continues.

The design is progressing and the following list is general and preliminary. Certain items may change, be added or deleted.

1. Common to All Areas

- 1.1. Foundations
- 1.2. Roads and Paving
- 1.3. Steel Pipe Racks
- 1.4. Piping
- 1.5. Electrical raceway and cable
- 1.6. Instrumentation and controls
- 1.7. Auxiliary Systems
- 1.8. Miscellaneous Items

2. Water Gas Shift Area

- 2.1. Pressure Vessels
- 2.2. Tanks
- 2.3. Heat Exchangers
- 2.4. Compressors
- 2.5. Generator Package
- 2.6. Electrical Switchgear and Controls
- 2.7. Transformers
- 2.8. Electrical House
- 2.9. Compressor Shelter

3. CO2 Capture and Compression Area

- 3.1. Dehydration package unit
- 3.2. CO2 Fractionation unit

Wabash Valley Resources LLC

Attachment to SB-1

- 3.3. PSA unit
- 3.4. Recycle Gas Compressor package
- 3.5. Mixed Refrigerant Compressor package
- 3.6. Regeneration Compressor package
- 4. Ammonia Plant Area**
 - 4.1. Hydrogen Purification Unit (HPU)
 - 4.2. Syn Gas Compression System
 - 4.3. Ammonia Syn loop System
 - 4.4. Ammonia Refrigeration System
 - 4.5. Ammonia Recovery System
 - 4.6. Blow Down and Flare System
 - 4.7. Cooling Water System
 - 4.8. Steam, Condensate and BFW system
 - 4.9. Ammonia Tank farm
 - 4.10. Ammonia Product offload system
 - 4.11. Electrical House
 - 4.12. Electrical Switchgear and controls
 - 4.13. Transformers
- 5. Pipeline-CO2 Area (Outside of Phase 1 ERA)**
 - 5.1. CO2 pipeline from 444 Sandford Road-Terre Haute-IN to injection well locations
 - 5.2. Ancillary pipeline equipment
 - 5.3. Cathodic Protection
- 6. CO2 Wells Area (Outside of Phase 1 ERA)**
 - 6.1. Deep well injection systems
 - 6.2. Monitoring well systems
 - 6.3. Control Buildings at each well site
 - 6.4. Ancillary Equipment
- 7. Balance of Plant Area**
 - 7.1. Water Intake structure, pumps and ancillary equipment
 - 7.2. Instrument Air Compressor system
 - 7.3. Fire Water Pumps/Storage
 - 7.4. High Voltage Substation (switchgear, transformers, misc)
 - 7.5. Substation Control Building
 - 7.6. Cooling Tower, pumps and ancillary equipment
 - 7.7. Boiler Feed Water system
 - 7.8. Electrical Building
 - 7.9. Gas Metering and control stations
 - 7.10. Miscellaneous Equipment
 - 7.11. Warehouse
 - 7.12. Buildings
 - 7.13. Fences
- 8. (TBD under consideration) On-site electric generation equipment (cost of this equipment is not included in the cost estimates shown on SB-1)**

RESOLUTION OF RE-ALLOCATION OF EXISTING APPROPRIATION 2023-11

It has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purposes which appropriated are hereby re-allocated in the following amounts:

REQUESTED

APPROVED

COUNTY GENERAL FUND/1000

Election Board/0062

From: 1000.21150.000.0062 Computer Supplies

\$12,500

To: 1000.44510.000.0062 New Equipment

\$12,500

Approved on this 13th day of June, 2023.

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	David Thompson	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Travis Norris	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Marie Theisz	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker, President	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Vicki Weger	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Nancy Allsup	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk	_____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		

Attest:

James W. Bramble
Vigo County Auditor

VIGO COUNTY
Public Safety LIT Options for Distribution to Units
For Distribution in 2024

Unit	Runs	Percentage	DISTRIBUTIONS		DISTRIBUTION COMBINATIONS						
			Run	Levy	40R/60L	50R/50L	60R/40L	65R/35L	70R/30L		
Honey Creek FPD	2,250	31.5612%	\$ 93,076.49	\$ 150,198.52	\$ 127,349.70	\$ 121,637.51	\$ 115,925.31	\$ 113,069.20	\$ 110,213.10		
Linton	148	2.0760%	\$ 6,122.36	\$ 4,521.03	\$ 5,161.56	\$ 5,321.70	\$ 5,481.83	\$ 5,561.89	\$ 5,641.96		
Nevins	227	3.1842%	\$ 9,390.38	\$ 502.34	\$ 4,057.56	\$ 4,946.36	\$ 5,835.16	\$ 6,279.57	\$ 6,723.97		
New Goshen FPD	466	6.5367%	\$ 19,277.17	\$ 11,051.40	\$ 14,341.71	\$ 15,164.29	\$ 15,986.86	\$ 16,398.15	\$ 16,809.44		
Otter Creek	731	10.2539%	\$ 30,239.51	\$ 18,586.44	\$ 23,247.67	\$ 24,412.98	\$ 25,578.28	\$ 26,160.94	\$ 26,743.59		
Pierson	118	1.6552%	\$ 4,881.34	\$ 13,563.08	\$ 10,090.38	\$ 9,222.21	\$ 8,354.04	\$ 7,919.95	\$ 7,485.86		
Prairieeton FPD	230	3.2263%	\$ 9,514.48	\$ 18,084.10	\$ 14,656.25	\$ 13,799.29	\$ 12,942.33	\$ 12,513.85	\$ 12,085.37		
Riley FPD	523	7.3362%	\$ 21,635.11	\$ 29,135.50	\$ 26,135.34	\$ 25,385.31	\$ 24,635.27	\$ 24,260.25	\$ 23,885.23		
Lost Creek FPD	801	11.2358%	\$ 33,135.23	\$ 11,553.73	\$ 20,186.33	\$ 22,344.48	\$ 24,502.63	\$ 25,581.71	\$ 26,660.78		
Shepardsville/Fayette	102	1.4308%	\$ 4,219.47	\$ 5,562.00	\$ 5,024.99	\$ 4,890.74	\$ 4,756.48	\$ 4,689.36	\$ 4,622.23		
Sugar Creek FPD	1,533	21.5037%	\$ 63,416.11	\$ 32,149.52	\$ 44,656.16	\$ 47,782.82	\$ 50,909.47	\$ 52,472.80	\$ 54,036.13		
Total	7,129	100.0000%	\$ 294,907.65	\$ 294,907.66	\$ 294,907.65	\$ 294,907.66	\$ 294,907.66	\$ 294,907.67	\$ 294,907.66		

Amt to Distrib
\$ 294,907.66

Company	Resolution Number	Property Type	Employee Estimate - SB-1				Employee - Actual				Estimate - SB-1		Actual	
			Retain	Salaries	Add'l	Salaries	Retain	Salaries	Add'l	Salaries	Proj Cost	AV	Project Cost	AV
ADVICS Manufacturing Indiana LLC	2012-??	Personal	415	\$ 14,541,000	36	\$ 1,050,000	415	\$ 22,234,271	26	\$ 1,392,991	\$ 15,266,000	-	\$ 7,496,688	\$ 2,249,006
Taghleef Industries Inc	2018-05	Personal	400	\$ 25,119,409	0	\$ -	400	\$ 27,500,000	5	\$ 500,000	\$ 52,500,000	\$ 15,750,000	\$ 64,213,662	\$ 24,588,600
Verdeco Recycling Midwest, Inc	2014-01	Personal	0	\$ -	24	\$ 986,000	0	\$ -	29	\$ 1,349,383	\$ 5,797,729	\$ 2,028,940	\$ 6,722,638	-
Verdeco Recycling Midwest, Inc	2019-08	Personal	32	\$ 1,678,000	1	\$ 60,000	29	\$ 1,349,383	0	\$ -	\$ 4,880,000	\$ 1,708,000	\$ 4,086,410	\$ 1,634,564
Casey's Marketing Company	2014-03	Real	0	\$ -	185	\$ 5,675,800	0	\$ -	237	\$ 13,734,824	\$ 22,000,000	-	\$ 29,567,913	\$ 15,533,200
Select Genetics, LLC	2014-02	Personal	0	\$ -	185	\$ 5,675,800	0	\$ -	237	\$ 13,734,824	\$ 4,600,000	-	\$ 4,599,879	\$ 689,982
Futurex	2017-03	Personal	0	\$ -	100	\$35k-\$120k/yr	0	\$ -	102	\$ 5,572,845	\$ 10,000,000	-	\$ 15,595,857	\$ 9,297,700
Futurex	2019-01	Real	29	\$15/hr	8	\$12/hr	29	\$19.92/hr	11	\$19.92/hr	\$ 1,070,000	\$ 1,370,000	\$ 833,525	\$ 1,398,400
Midwest Investments, LLC	2019-16	Real	29	\$15/hr	8	\$12/hr	29	\$20.00/hr	11	\$20.00/hr	\$ 2,500,000	\$ 2,500,000	\$ 2,252,496	\$ 928,425
D&D Automation, Inc	2019-17	Personal	10	\$ 358,000	3	\$ 120,000	10	\$ 368,664	3	\$ 120,000	\$ 547,000	\$ 547,000	\$ 285,000	\$ 285,000
GL Holding, LLC (Green Leaf)	2020-07	Real	104	\$ 4,067,703	20	\$ 707,200	104	\$ 4,271,088	139	\$ 4,097,165	\$ 167,700	\$ 167,700	\$ 171,000	\$ 95,760
Green Leaf, Inc	2020-07	Personal	104	\$ 4,067,703	20	\$ 707,200	104	\$ 4,271,088	139	\$ 4,097,165	\$ 300,000	\$ 200,000	\$ 69,343	\$ -

Note: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c)



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1-1-35-9 and IC 6-1-1-12 1-5-6

FORM CF-1 / PP

2023 Pay 2024

- INSTRUCTIONS:
- 1 Property owners whose Statement of Benefits was approved must file this form with the local designating body to show the extent to which there has been compliance with the Statement of Benefits (IC 6-1-1-12 1-5-6)
 - 2 This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1-1-3 7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
 - 3 With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1)

SECTION 1		TAXPAYER INFORMATION		
Name of Taxpayer	ADVICS Manufacturing Indiana, LLC	County	Vigo	
Address of Taxpayer (number and street, city, state, and ZIP code)	10550 James Adams Street, Terre Haute, IN 47802	DLGF Taxing District Number	84003	
Name of Contact Person	Ronda Clarke	Telephone Number	(812) 298-1617	
		Email Address		
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY		
Name of Designating Body	Vigo County Council	Resolution Number	2012	
Location of Property	10550 James Adams Street, Terre Haute, IN 47802	Estimated State Date (month, day, year)	3/1/2011	
Description of new manufacturing equipment, new research and development equipment, new information technology equipment, or new logistical distribution equipment to be acquired		Actual Start Date (month, day, year)		
		Estimated Completion Date (month, day, year)	3/1/2013	
		Actual Completion Date (month, day, year)		
SECTION 3		EMPLOYEES AND SALARIES		
		AS ESTIMATED ON SB-1	ACTUAL	
Current Number of Employees	415		441	
Salaries	14,541,000		23,627,262	
Number of Employees Retained	415		415	
Salaries	14,541,000		22,234,271	
Number of Additional Employees	36		26	
Salaries	1,050,000		1,392,991	
SECTION 4		COST AND VALUES		
	MANUFACTURING EQUIPMENT	RESEARCH & DEVELOPMENT EQUIPMENT	LOGISTICAL DISTRIBUTION EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE
AS ESTIMATED ON SB-1				
Values Before Project	\$ 9,523,450	\$	\$	\$
Plus: Values of Proposed Project	\$ 15,266,000	\$	\$	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 24,789,450	\$	\$	\$
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$ 69,164,980	\$ 20,749,494	\$	\$
Plus: Values of Proposed Project	\$ 7,496,688	\$ 2,249,006	\$	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 76,661,668	\$ 22,998,500	\$	\$
NOTE: The COST of the property is confidential pursuant to IC 6-1-1-12 1-5-6(c).				
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
		AS ESTIMATED ON SB-1	ACTUAL	
WASTE CONVERTED AND OTHER BENEFITS				
Amount of Solid Waste Converted				
Amount of Hazardous Waste Converted				
Other Benefits:				
SECTION 6		TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.				
Signature of Authorized Representative		Title	Agent	
		Date Signed (month, day, year)	4/10/23	



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE

This form contains confidential information pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

2023 PAY 2024

INSTRUCTIONS:

1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1).

SECTION 1 TAXPAYER INFORMATION	
Name of taxpayer TAGHLEEF INDUSTRIES INC	County Vigo
Address of Taxpayer (street and number, city, state and ZIP code) 3600 EAST HEAD AVENUE ROSEDALE IN 47874	DLGF Taxing District Number 84012
Name of Contact Person AMBER BASS, PLANT CONTROLLER	Telephone Number (812) 462-5090
Email Address Amber.Bass@ti-films.com	

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY	
Name of Designating Body VIGO COUNTY COUNCIL	Resolution Number 2018 5
Location of Property 3600 EAST HEAD AVENUE ROSEDALE IN 47874	Estimated Start Date (month, day, year)
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. See attached	Actual Start Date (month, day, year)
	Estimated Completion Date (month, day, year)
	Actual Completion Date (month, day, year)

SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees	400	405
Salaries	25,119,409	28,000,000
Number of Employees Retained	400	400
Salaries	25,119,409	27,500,000
Number of Additional Employees		5
Salaries		500,000

SECTION 4 COST AND VALUES								
	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	124,676,158	38,975,970						
Plus: Values of Proposed Project	52,500,000	15,750,000						
Less: Values of Any Property Being Replaced								
Net Values Upon Completion of Project	177,176,158	54,725,970						
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project								
Plus: Values of Proposed Project								
Less: Values of Any Property Being Replaced								
Net Values Upon Completion of Project								

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of Solid Waste Converted		
Amount of Hazardous Waste Converted		
Other Benefits:		

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of Authorized Representative <i>Amber Bass</i>	Title PLANT CONTROLLER	Date Signed (month, day, year) 05/11/2023

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the county assessor and the county auditor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
<input type="checkbox"/>	The property owner IS in substantial compliance		
<input type="checkbox"/>	The property owner IS NOT in substantial compliance		
<input type="checkbox"/>	Other (specify) _____		
Reasons for the Determination (attach additional sheets if necessary)			
Signature of Authorized Member			Date Signed (month, day, year)
Attested By:		Designating Body	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.			
Time of Hearing	<input type="checkbox"/> AM <input type="checkbox"/> PM	Date of Hearing (month, day, year)	Location of Hearing
HEARING RESULTS (to be completed after the hearing)			
<input type="checkbox"/> Approved		<input type="checkbox"/> Denied (see instruction 5 above)	
Reasons for the Determination (attach additional sheets if necessary)			
Signature of Authorized Member			Date Signed (month, day, year)
Attested By:		Designating Body	
APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]			
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.			



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

20²³ Pay 20²⁴

INSTRUCTIONS:

1. Property owners whose Statement of Benefits was approved must file this form with the local designating body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1).

SECTION 1 TAXPAYER INFORMATION								
Name of Taxpayer Verdeco Recycling Midwest, Inc.						County Vigo		
Address of Taxpayer (number and street, city, state, and ZIP code) 10535 James Adams Street, Terre Haute, IN 47802						DLGF Taxing District Number 84-024		
Name of Contact Person Carmen Chivu				Telephone Number (661) 645-0035		Email Address		
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY								
Name of Designating Body Vigo County Council				Resolution Number 2014-01		Estimated State Date (month, day, year) 08/13/2014		
Location of Property 10535 James Adams Street, Terre Haute, IN 47802						Actual Start Date (month, day, year) 08/13/2004		
Description of new manufacturing equipment, new research and development equipment, new information technology equipment, or new logistical distribution equipment to be acquired. M&E						Estimated Completion Date (month, day, year) 12/31/2014		
						Actual Completion Date (month, day, year) 12/31/2014		
SECTION 3 EMPLOYEES AND SALARIES								
EMPLOYEES AND SALARIES			AS ESTIMATED ON SB-1			ACTUAL		
Current Number of Employees			0			29		
Salaries			0			1,349,383		
Number of Employees Retained			0			0		
Salaries			0			0		
Number of Additional Employees			24			29		
Salaries			986,000			1,349,383		
SECTION 4 COST AND VALUES								
	MANUFACTURING EQUIPMENT		RESEARCH & DEVELOPMENT EQUIPMENT		LOGISTICAL DISTRIBUTION EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$	\$	\$	\$	\$	\$	\$	\$
Plus: Values of Proposed Project	\$ 5,701,329	\$ 1,995,470	\$	\$	\$	\$	\$ 96,400	\$ 33,470
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 5,701,329	\$ 1,995,470	\$	\$	\$	\$	\$ 96,400	\$ 33,470
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$	\$	\$	\$	\$	\$	\$	\$
Plus: Values of Proposed Project	\$ 6,533,910	\$	\$	\$	\$	\$	\$ 188,728	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 6,533,910	\$	\$	\$	\$	\$	\$ 188,728	\$
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
WASTE CONVERTED AND OTHER BENEFITS					AS ESTIMATED ON SB-1		ACTUAL	
Amount of Solid Waste Converted								
Amount of Hazardous Waste Converted								
Other Benefits:								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.								
Signature of Authorized Representative 					Title CFO		Date Signed (month, day, year) 04/26/2023	



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

20²³ Pay 20²⁴

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local designating body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1).

SECTION 1 TAXPAYER INFORMATION								
Name of Taxpayer Verdeco Recycling Midwest, Inc.						County Vigo		
Address of Taxpayer (number and street, city, state, and ZIP code) 10535 James Adams Street, Terre Haute, IN 47802						DLGF Taxing District Number 84-024		
Name of Contact Person Carmen Chivu				Telephone Number (661) 645-0035		Email Address		
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY								
Name of Designating Body Vigo County Council				Resolution Number 2019-08		Estimated State Date (month, day, year) 06/01/2019		
Location of Property 10535 James Adams Street, Terre Haute, IN 47802						Actual Start Date (month, day, year) 06/01/2019		
Description of new manufacturing equipment, new research and development equipment, new information technology equipment, or new logistical distribution equipment to be acquired. M&E						Estimated Completion Date (month, day, year) 09/01/2019		
						Actual Completion Date (month, day, year) 12/31/2019		
SECTION 3 EMPLOYEES AND SALARIES								
EMPLOYEES AND SALARIES				AS ESTIMATED ON SB-1		ACTUAL		
Current Number of Employees				32		29		
Salaries				1,678,000		1,349,383		
Number of Employees Retained				32		29		
Salaries				1,678,000		1,349,383		
Number of Additional Employees				1				
Salaries				60,000				
SECTION 4 COST AND VALUES								
	MANUFACTURING EQUIPMENT		RESEARCH & DEVELOPMENT EQUIPMENT		LOGISTICAL DISTRIBUTION EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$	\$	\$	\$	\$	\$	\$	\$
Plus: Values of Proposed Project	\$ 4,880,000	\$ 1,708,000	\$	\$	\$	\$	\$	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 4,880,000	\$ 1,708,000	\$	\$	\$	\$	\$	\$
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$	\$	\$	\$	\$	\$	\$	\$
Plus: Values of Proposed Project	\$ 4,086,410	\$ 1,634,564	\$	\$	\$	\$	\$	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 4,086,410	\$ 1,634,564	\$	\$	\$	\$	\$	\$
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
WASTE CONVERTED AND OTHER BENEFITS				AS ESTIMATED ON SB-1		ACTUAL		
Amount of Solid Waste Converted								
Amount of Hazardous Waste Converted								
Other Benefits:								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.						Date Signed (month, day, year)		
Signature of Authorized Representative <i>ch</i>				Title CFO		04/26/2023		



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R5 / 12-21)

Prescribed by the Department of Local Government Finance

2023 PAY 2024

FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12 1-5.3 (k) and (l).

INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, 2022, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12 1-5.3(f))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1 TAXPAYER INFORMATION	
Name of taxpayer Casey's Marketing Company	County Vigo
Address of taxpayer (number and street, city, state and ZIP code) PO Box 54288, Lexington, KY 40555	DLGF taxing district number 84-024
Name of contact person Michelle C. Kimbrell	Telephone number 859-269-1650

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body County Council of Vigo County	Resolution number 2014-03	Estimated start date (month, day, year) 08/01/2014
Location of property 400 W Industrial Drive Terre Haute IN 47802-9828		Actual start date (month, day, year)
Description of real property improvements: Construction of an approximate 250,000 to 300,000 square foot warehouse distribution facility.		Estimated completion date (month, day, year) 12/31/2019
		Actual completion date (month, day, year)

SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		237
Salaries		1,373,482
Number of employees retained		
Salaries	185	237
Number of additional employees	5,675,800	13,734,824
Salaries		

SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	22,000,000	
Less: Values of any property being replaced		
Net values upon completion of project	22,000,000	
ACTUAL	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	29,567,913	15,533,200
Less: Values of any property being replaced		
Net values upon completion of project		

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.	
Signature of authorized representative. 	Date signed (month, day, year) 5/12/2023

Michelle C. Kimbrell
859-269-1649
VP, Property Tax
mckimbrell@intax.com

Vigo County Auditor
MAY 15 2023



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

INSTRUCTIONS:

1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-I).

PRIVACY NOTICE

This form contains confidential information pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6

FORM CF-1 / PP

2023 PAY 2024

SECTION 1 TAXPAYER INFORMATION									
Name of taxpayer Casey's Marketing Company						County Vigo			
Address of Taxpayer (street and number, city, state and ZIP code) PO BOX 54288, Lexington, KY 40555						DLGF Taxing District Number 84-024			
Name of Contact Person Michelle C. Kimbrell				Telephone Number 859-269-1650		Email Address mckimbrell@intax.com			
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY									
County Council of Vigo County				Resolution Number 2014-02		Estimated Start Date (month, day, year) 01/01/2015			
Location of Property Vigo County of Industrial Park Terre Haute IN						Actual Start Date (month, day, year) / /			
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. See attached						Estimated Completion Date (month, day, year) 12/31/2019			
						Actual Completion Date (month, day, year) / /			
SECTION 3 EMPLOYEES AND SALARIES									
EMPLOYEES AND SALARIES						AS ESTIMATED ON SB-1		ACTUAL	
Current Number of Employees								237	
Salaries								1,373,482	
Number of Employees Retained									
Salaries									
Number of Additional Employees						185		237	
Salaries						5,675,800		13,734,824	
SECTION 4 COST AND VALUES									
		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project									
Plus: Values of Proposed Project						4,400,000		200,000	
Less: Values of Any Property Being Replaced									
Net Values Upon Completion of Project						4,400,000		200,000	
ACTUAL		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project									
Plus: Values of Proposed Project						4,399,885	659,983	199,994	29,999
Less: Values of Any Property Being Replaced									
Net Values Upon Completion of Project						4,399,885	659,983	199,994	29,999
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c)									
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER									
WASTE CONVERTED AND OTHER BENEFITS						AS ESTIMATED ON SB-1		ACTUAL	
Amount of Solid Waste Converted									
Amount of Hazardous Waste Converted									
Other Benefits:									
SECTION 6 TAXPAYER CERTIFICATION									
I hereby certify that the representations in this statement are true.									
Signature of Authorized Representative					Title VP, Property Tax		Date Signed (month, day, year) 5/12/2023		



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

2022 Pay 2023

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local designating body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1).

SECTION 1		TAXPAYER INFORMATION						
Name of Taxpayer	Select Genetics, LLC	County	Vigo					
Address of Taxpayer (number and street, city, state, and ZIP code)	1800 Technology Drive NE Willmar MN 56201-2280	DLGF Taxing District Number	024					
Name of Contact Person	Corey Nelson	Telephone Number	(320) 222-9732					
		Email Address	Corey.Nelson@Select-Ge					
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY						
Name of Designating Body	Vigo County Council	Resolution Number	2017-03					
Location of Property	Vigo Industrial Park (380 E. Industrial Park, Terre Haute, IN 47802)	Estimated State Date (month, day, year)						
Description of new manufacturing equipment, new research and development equipment, new information technology equipment, or new logistical distribution equipment to be acquired.	75,000 Square Foot Turkey Hatchery	Actual Start Date (month, day, year)	9/01/2017					
		Estimated Completion Date (month, day, year)	11/01/2018					
		Actual Completion Date (month, day, year)	8/27/2018					
SECTION 3		EMPLOYEES AND SALARIES						
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL					
Current Number of Employees	100		102					
Salaries			5,572,845.30					
Number of Employees Retained								
Salaries								
Number of Additional Employees								
Salaries								
SECTION 4		COST AND VALUES						
	MANUFACTURING EQUIPMENT	RESEARCH & DEVELOPMENT EQUIPMENT	LOGISTICAL DISTRIBUTION EQUIPMENT					
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
AS ESTIMATED ON SB-1								
Values Before Project	\$	\$	\$	\$	\$	\$	\$	\$
Plus: Values of Proposed Project	\$ 10,000,000.00	\$	\$	\$	\$	\$	\$	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 10,000,000.00	\$	\$	\$	\$	\$	\$	\$
ACTUAL								
Values Before Project	\$	\$	\$	\$	\$	\$	\$	\$
Plus: Values of Proposed Project	\$ 15,595,857.39	\$ 9,297,700	\$	\$	\$	\$	\$	\$
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 15,595,857.39	\$ 9,297,700	\$	\$	\$	\$	\$	\$
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).								
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER						
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL					
Amount of Solid Waste Converted								
Amount of Hazardous Waste Converted								
Other Benefits:								
SECTION 6		TAXPAYER CERTIFICATION						
I hereby certify that the representations in this statement are true.								
Signature of Authorized Representative		Title	Date Signed (month, day, year)					
J. R. Nelson		CEO	5-9-23					

Thad Decker 5-9-23



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R6 / 4-23)

Prescribed by the Department of Local Government Finance

20 23 PAY 20 24

FORM CF-1 / Real Property

MAY 12 2023

INSTRUCTIONS:

- 1 Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property)
- 2 This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
- 3 This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15 or by the due date of the real property owner's personal property return that is filed in the township where the property is located (IC 6-1.1-12.1-5.3(j))
- 4 With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.3 (k) and (l).

SECTION 1		TAXPAYER INFORMATION	
Name of Taxpayer FUTUREX INDUSTRIES, INC.		County VIGO	
Address of Taxpayer (number and street, city, state, and ZIP code) P.O. BOX 158, BLOOMINGDALE, IN 47832		DLGF Taxing District Number 84024	
Name of Contact Person DOUG WILSON	Telephone Number (765) 498-3900	Email Address DOUGW@FUTUREXPLASTICS.COM	
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY	
Name of Designating Body VIGO COUNTY COUNCIL		Resolution Number 2019-2	Estimated Start Date (month, day, year) 03/01/2019
Location of Property 10000 SOUTH CARLISLE STREET, TERRE HAUTE, IN 47802		Actual Start Date (month, day, year) 03/01/2019	
Description of Real Property Improvements 24,000 SQ FOOT BUILDING - STEEL - FOR CUSTOM PLASTIC EXTRUSION ADJACENT - SOUTH OF CURRENT BUILDING		Estimated Completion Date (month, day, year) 12/31/2019	
		Actual Completion Date (month, day, year) 12/31/2019	
SECTION 3		EMPLOYEES AND SALARIES	
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees	29		40
Salaries	15.00		19.92
Number of Employees Retained	29		29
Salaries	15.00		19.92
Number of Additional Employees	8		11
Salaries	12.00		19.92
SECTION 4		COST AND VALUES	
COST AND VALUES		REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	
Values Before Project	\$ 1,800,000.00	\$ 1,168,500.00	
Plus: Values of Proposed Project	\$ 1,070,000.00	\$ 1,370,000.00	
Less: Values of Any Property Being Replaced	\$ 0.00	\$ 0.00	
Net Values Upon Completion of Project	\$ 3,170,000.00	\$ 2,538,500.00	
ACTUAL	COST	ASSESSED VALUE	
Values Before Project	\$ 1,800,000.00	\$ 1,168,500.00	
Plus: Values of Proposed Project	\$ 833,525.00	\$ 1,398,400.00	
Less: Values of Any Property Being Replaced	\$ 0.00	\$ 0.00	
Net Values Upon Completion of Project	\$ 2,633,525.00	\$ 2,566,900.00	
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER	
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL
Amount of Solid Waste Converted			
Amount of Hazardous Waste Converted			
Other Benefits:			
SECTION 6		TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.			
Signature of Authorized Representative <i>Doug Wilson</i>		Title Director of Finance	Date Signed (month, day, year) 5/19/23



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

2023 PAY 2024

INSTRUCTIONS:

1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1).

Hamilton Township Auditor

SECTION 1 TAXPAYER INFORMATION								
Name of taxpayer FUTUREX INDUSTRIES, INC.						County VIGO		
Address of Taxpayer (street and number, city, state and ZIP code) P.O. BOX 158 BLOOMINGDALE IN 47832						DLGF Taxing District Number 84024		
Name of Contact Person DOUG WILSON				Telephone Number 765-498-3900		Email Address DOUG@FUTUREXPLASTICS.COM		
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY								
Name of Designating Body VIGO COUNTY COUNCIL				Resolution Number 2019-1		Estimated Start Date (month, day, year) 03/01/2019		
Location of Property 10000 SOUTH CARLISLE STREET TERRE HAUTE IN 47802						Actual Start Date (month, day, year) 03/01/2019		
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. (4) PLASTIC EXTRUSION LINES (4) ROLLS						Estimated Completion Date (month, day, year) 12/31/2019		
						Actual Completion Date (month, day, year) 12/31/2019		
SECTION 3 EMPLOYEES AND SALARIES								
EMPLOYEES AND SALARIES						AS ESTIMATED ON SB-1		ACTUAL
Current Number of Employees						29		40
Salaries						15		20
Number of Employees Retained						29		29
Salaries						15		20
Number of Additional Employees						8		11
Salaries						12		20
SECTION 4 COST AND VALUES								
	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	4,570,409	3,371,120						
Plus: Values of Proposed Project	2,500,000	2,500,000						
Less: Values of Any Property Being Replaced								
Net Values Upon Completion of Project	7,070,409	5,871,120						
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	4,570,409	3,371,120						
Plus: Values of Proposed Project	2,252,496	928,425						
Less: Values of Any Property Being Replaced								
Net Values Upon Completion of Project	6,822,905	4,299,545						
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
WASTE CONVERTED AND OTHER BENEFITS						AS ESTIMATED ON SB-1		ACTUAL
Amount of Solid Waste Converted								
Amount of Hazardous Waste Converted								
Other Benefits:								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.								
Signature of Authorized Representative <i>Doug Wilson</i>				Title DIRECTOR OF FINANCE		Date Signed (month, day, year) 5/9/23		

Prepared by: BUE & CO., LLC • 12800 N MEHIDIAN ST, STE 400, CARMEL, IN 46032 • 317-848-8920



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R6 / 4-23)

Prescribed by the Department of Local Government Finance

RECEIVED
JUN 02 2023

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FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12 1-5.3 (k) and (l).

INSTRUCTIONS:

1. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
2. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
3. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15 or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12 1-5.3(j))
4. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1 TAXPAYER INFORMATION		
Name of Taxpayer MIDWEST INVESTMENTS, LLC		County VIGO
Address of Taxpayer (number and street, city, state, and ZIP code) 1207 E DALLAS DR		DLGF Taxing District Number 04-09-34-100-008
Name of Contact Person DAVID DECKER	Telephone Number (812) 299-1045	Email Address
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of Designating Body VIGO COUNTY COUNCIL	Resolution Number 2019-16	Estimated Start Date (month, day, year) 11/1/2019
Location of Property 1207 E DALLAS DR, TERRE HAUTE, IN 47802		Actual Start Date (month, day, year) 8/29/2019
Description of Real Property Improvements \$176,200 in new, or new-to-Indiana, personal property being 20,500 in computer equipment, \$4,500 in phone systems, \$10,500 in furniture and fixtures and \$154,700 in manufacturing equipment		Estimated Completion Date (month, day, year) 3/1/2020
		Actual Completion Date (month, day, year) 12/20/2021
SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees	10	13
Salaries	358,000	488,664
Number of Employees Retained	10	10
Salaries	358,000	368,664
Number of Additional Employees	3	3
Salaries	120,000	120,000
SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values Before Project	\$ 185,000	\$ 52,000
Plus: Values of Proposed Project	\$ 547,000	\$ 547,000
Less: Values of Any Property Being Replaced	\$	\$
Net Values Upon Completion of Project	\$ 732,000	\$ 599,000
ACTUAL	COST	ASSESSED VALUE
Values Before Project	\$ 185,000	\$ 185,000
Plus: Values of Proposed Project	\$ 285,000	\$ 285,000
Less: Values of Any Property Being Replaced	\$	\$
Net Values Upon Completion of Project	\$ 470,000	\$ 470,000
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of Solid Waste Converted		
Amount of Hazardous Waste Converted		
Other Benefits:		
SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of Authorized Representative 	Title OWNER	Date Signed (month, day, year) 5/1/2023



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

JUN 02 2023

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1.1-12 1-5.6

FORM CF-1 / PP

20 22 Pay 20 23

INSTRUCTIONS

1. Property owners whose Statement of Benefits was approved must file this form with the local designating body to show the extent to which there has been compliance with the Statement of Benefits (IC 6-1.1-12 1-5.6)
2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3 7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1)

SECTION 1 TAXPAYER INFORMATION	
Name of Taxpayer D & D AUTOMATION, INC	County VIGO
Address of Taxpayer (number and street, city, state, and ZIP code) 1207 E DALLAS DR	DLGF Taxing District Number 840000004690000003
Name of Contact Person DAVID DECKER	Telephone Number (812) 299-1045
Email Address	
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY	
Name of Designating Body VIGO COUNTY COUNCIL	Resolution Number 2019-17
Location of Property 1207 E DALLAS DR, TERRE HAUTE, IN 47802	Estimated State Date (month, day, year) 11/1/2019
Description of new manufacturing equipment, new research and development equipment, new information technology equipment, or new logistical distribution equipment to be acquired SEE ATTACHED STATEMENT.	Actual Start Date (month, day, year) 8/29/2019
	Estimated Completion Date (month, day, year) 3/1/2020
	Actual Completion Date (month, day, year) 12/20/2021

SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees	10	13
Salaries	358,000	488,664
Number of Employees Retained	10	10
Salaries	358,000	368,664
Number of Additional Employees	3	3
Salaries	120,000	120,000

SECTION 4 COST AND VALUES								
	MANUFACTURING EQUIPMENT		RESEARCH & DEVELOPMENT EQUIPMENT		LOGISTICAL DISTRIBUTION EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$ 803,508	\$ 243,736	\$	\$	\$	\$	\$ 28,766	\$ 5,946
Plus: Values of Proposed Project	\$ 154,700	\$ 154,700	\$ 8,500	\$ 8,500	\$	\$	\$ 4,500	\$ 4,500
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 958,208	\$ 398,436	\$ 8,500	\$ 8,500	\$	\$	\$ 33,266	\$ 10,446
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project	\$ 803,508	\$ 243,736	\$	\$	\$	\$	\$ 27,766	\$ 5,946
Plus: Values of Proposed Project	\$ 158,000	\$ 88,480	\$ 8,500	\$ 4,760	\$	\$	\$ 4,500	\$ 2,520
Less: Values of Any Property Being Replaced	\$	\$	\$	\$	\$	\$	\$	\$
Net Values Upon Completion of Project	\$ 961,508	\$ 332,216	\$ 8,500	\$ 4,760	\$	\$	\$ 32,266	\$ 8,466

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12 1-5.6(c).

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of Solid Waste Converted		
Amount of Hazardous Waste Converted		
Other Benefits:		

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of Authorized Representative 	Title OWNER	Date Signed (month, day, year) 5/1/2023



COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS
State Form 51788 (R5 / 12-21)
Prescribed by the Department of Local Government Finance

2023 PAT 2024

FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1-1-12.1-5.3 (k) and (l).

INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form J22/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 16, 2022, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1-1-12.1-5.3(j))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1		TAXPAYER INFORMATION	
Name of taxpayer GL Holding, LLC	County Vigo		
Address of taxpayer (number and street, city, state and ZIP code) 9490 Baldwin St Fontanet IN 47805	DLGF taxing district number 84011		
Name of contact person Peter Goda	Telephone number 812-877-1546		

SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY	
Name of designating body Vigo County Council	Resolution number 2020-07	Estimated start date (month, day, year) 10/01/2020	
Location of property 9490 N Baldwin Street Fontanet IN 47851		Actual start date (month, day, year) 10/01/2020	
Description of real property improvements: Addition of 45,000 sqft. of warehousing and distribution space to accomodate growth requirements.		Estimated completion date (month, day, year) 04/01/2021	
		Actual completion date (month, day, year) 11/15/2021	

SECTION 3		EMPLOYEES AND SALARIES	
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		104	243
Salaries		4,067,703	8,368,253
Number of employees retained		104	104
Salaries		4,067,703	4,271,088
Number of additional employees		20	139
Salaries		707,200	4,097,165

SECTION 4		COST AND VALUES	
COST AND VALUES		REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	
Values before project			
Plus: Values of proposed project	2,100,000		
Less: Values of any property being replaced			
Net values upon completion of project	2,100,000		
ACTUAL	COST	ASSESSED VALUE	
Values before project			
Plus: Values of proposed project	2,019,264	TBD	
Less: Values of any property being replaced			
Net values upon completion of project	2,019,264	TBD	

SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER	
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted			
Amount of hazardous waste converted			
Other benefits:			

SECTION 6		TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.			
Signature of authorized representative <i>Peter Goda</i>	Title President	Date signed (month, day, year) 5-10-23	



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R7 / 12-22)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE

This form contains confidential information pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

2023 PAY 2024

- INSTRUCTIONS:
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (CF-1).

SECTION 1

TAXPAYER INFORMATION

Name of taxpayer Green Leaf, Inc.	County Vigo
Address of Taxpayer (street and number, city, state and ZIP code) 9490 N. Baldwin Street Fontanet IN 47851	DLGF Taxing District Number 84011
Name of Contact Person Peter Goda	Telephone Number 812-877-1546
	Email Address pete.goda@green-leaf.us

SECTION 2

LOCATION AND DESCRIPTION OF PROPERTY

Name of Designating Body Vigo County Council	Resolution Number 2020-07	Estimated Start Date (month, day, year) 10/01/2020
Location of Property 9490 N Baldwin St Fontanet IN 47851		Actual Start Date (month, day, year) 10/01/2020
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired See attached		Estimated Completion Date (month, day, year) 04/01/2021
		Actual Completion Date (month, day, year) 11/15/2021

SECTION 3

EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current Number of Employees		104	243
Salaries		4,067,703	8,368,253
Number of Employees Retained		104	104
Salaries		4,067,703	4,271,088
Number of Additional Employees		20	139
Salaries		707,200	4,097,165

SECTION 4

COST AND VALUES

AS ESTIMATED ON SB-1	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project								
Plus: Values of Proposed Project	250,000	200,000			50,000			
Less: Values of Any Property Being Replaced								
Net Values Upon Completion of Project	250,000	200,000			50,000			
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values Before Project								
Plus: Values of Proposed Project	69,343							
Less: Values of Any Property Being Replaced								
Net Values Upon Completion of Project	69,343							

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5

WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of Solid Waste Converted		
Amount of Hazardous Waste Converted		
Other Benefits:		

SECTION 6

TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of Authorized Representative <i>Peter Goda</i>	Title President	Date Signed (month, day, year) 5-10-23
---	--------------------	---

Prepared by: Sackrider & Company, Inc. • 1925 Wabash Ave., Terre Haute, IN 47807 • (812)232-9492

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the county assessor and the county auditor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☐ The property owner **IS** in substantial compliance
- ☐ The property owner **IS NOT** in substantial compliance
- ☐ Other (specify) _____

Reasons for the Determination (attach additional sheets if necessary)

Signature of Authorized Member

Date Signed (month, day, year)

Attested By:

Designating Body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of Hearing

☐ AM
☐ PM

Date of Hearing (month, day, year)

Location of Hearing

HEARING RESULTS (to be completed after the hearing)

☐ Approved ☐ Denied (see instruction 5 above)

Reasons for the Determination (attach additional sheets if necessary)

Signature of Authorized Member

Date Signed (month, day, year)

Attested By:

Designating Body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

SALARY ORDINANCE 2023-11

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2023, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the County General Fund the following:

PROPOSED APPROVED

COUNTY GENERAL FUND/1000

Prosecutor/0009

- | | |
|---|--------------------------|
| a. Amend Deputy Prosecutor Base Salary (12) | \$80,000/annually |
| b. Amend Part-Time Trial Deputy (6) | \$41,531/annually |
| c. Amend Part-Time Trial Deputy/City Ct. Prosecutor (1) | \$43,327/annually |

SECTION 3. Effective _____, 2023.

Approved on this 13th day of June, 2023.

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo County Auditor

SALARY ORDINANCE 2023-12

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2023, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the Vigo County General Fund the following:

COUNTY GENERAL PROSECUTOR/.0009

The 2023 Salary Ordinance for the General Employees was adopted with a provision in Paragraph H for Deputy Prosecutors to be paid an amount in addition to the base salary pursuant to criteria established by the Prosecutor's Office. Per the ordinance the criteria has been re-evaluated for current Deputy Prosecutors and reassigned a percentage to be applied to the recommended base salary to determine the total salary as shown on Attachment 1. In the event of a vacancy or a reassignment of the role of a Deputy Prosecutor, the percentage will need to be re-evaluated and approved by the Vigo County Council.

SEE ATTACHMENT

Effective _____, 2023

Approved on this 13th day of June, 2023

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker,
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-28

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the Drug Free Community Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>DRUG FREE COMMUNITY/1148</u>		
1148.36700.000.0000 Operating Expenses	<u>\$67,065</u>	
Total Drug Free Community Fund		<u>\$67,065</u>

Approved on this 13th day of June, 2023.

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	_____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-29

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the General Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

GENERAL FUND/1000

Juvenile Court/0234

1000.33300.000.0234 Contractual Services

Total General Fund

ADVERTISED

APPROPRIATED

\$ 20,000

\$ 20,000

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-30

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the General Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

GENERAL FUND/1000

Courts/0232

1000.30700.000.0232 Legal Services

Total General Fund

ADVERTISED

APPROPRIATED

\$	6,000
\$	6,000

Approved on this 13th day of June, 2023.

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-031

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the Vigo County Health Department Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>Vigo County Health Department Fund/1159</u>		
1159.44460.000.0000 Vehicles	\$	89,535
Total Vigo County Health Department Fund	\$	89,535

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk,
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	_____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-032

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the Vigo County Health Department Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>Vigo County Health Department Fund/1159</u>		
1159.44510.000.0000 New Equipment	\$	24,511
Total Vigo County Health Department Fund	\$	24,511

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk,
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	_____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-33

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the EDIT Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>EDIT/1112</u>		
1112.31001.000.0000 Special Events	\$	25,000
Total EDIT Fund	\$	25,000

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

 James W. Bramble
 Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-34

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the ARPA Grant Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>ARPA GRANT FUND/8950</u>		
8950.37850.000.0000 Professional Services	\$	500,000
Total ARPA Grant Fund	\$	500,000

Approved on this 13th day of June, 2023 .

<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			David Thompson		
<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			Travis Norris		
<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			Marie Theisz		
<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			R. Todd Thacker, President		
<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			Vicki Weger		
<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			Nancy Allsup		
<div style="display: flex; justify-content: space-between;"><div>Aye <input type="checkbox"/></div><div>Absent <input type="checkbox"/></div></div>					
<div style="display: flex; justify-content: space-between;"><div>Nay <input type="checkbox"/></div><div>Abstain <input type="checkbox"/></div></div>			Aaron Loudermilk		

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-35

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the ARPA Grant Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>ARPA GRANT FUND/8950</u>		
8950.44850.000.0000 Ind. State University Project	\$	3,000,000
Total ARPA Grant Fund	\$	3,000,000

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

 James W. Bramble
 Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-36

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the ARPA Grant Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>ARPA GRANT FUND/8950</u>		
8950.30012.000.0000 Reimburse Hospital Benefits	\$	693,028
Total ARPA Grant Fund	\$	693,028

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-37

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the General Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>GENERAL FUND/1000</u>		
<u>Prosecutor/0009</u>		
1000.21000.000.0009 Office Supplies	\$	2,000
1000.33300.000.0009 Contractual Services	\$	8,000
1000.36900.000.0009 Trials & Investigations	\$	10,000
1000.44480.000.0009 Office Furniture	\$	10,000
Total General Fund	\$	30,000

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

 James W. Bramble
 Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2023-38

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the Infraction Deferral Fund, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

	<u>ADVERTISED</u>	<u>APPROPRIATED</u>
<u>INFRACTION DEFERRAL FUND/2501</u>		
2501.31400.000.0000 Law Enforcement Grants	\$	15,000
Total Infraction Deferral Fund	\$	15,000

Approved on this 13th day of June, 2023 .

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker, President
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk

Attest:

James W. Bramble
Vigo County Auditor

VIGO COUNTY COUNCIL
Sunshine Meeting Minutes
Wednesday, May 3, 2023 at 5:00 P.M.
Council Chambers – Vigo County Government Center

Pledge of Allegiance

President Pro Tem Marie Theisz called the meeting to order at 5:00.

Calling of the roll

Aaron Loudermilk – present, Nancy Allsup – present; Vicki Weger – present; Todd Thacker – absent; Marie Theisz – present; Travis Norris – present; and David Thompson – present. Marie Theisz said President Thacker was out of town due to a family medical issue but would be at next week's meeting.

Communications from elected officials, other officials or agencies of the County

Donna Weger from the Coroner's Office said that Dr. Janie Myers had been unable to be at tonight's meeting due to being out of town but she would be at next week's meeting to speak with the Council about a situation with body storage.

First reading by summary reference of proposed ordinances and resolutions

- i. Salary Ordinance 2023-21A: Sheriff – salary adjustment to building security division
- ii. Additional Appropriation 2023-21B: Sheriff – salary adjustment to building security division
- iii. Additional Appropriation 2023-22B: EDIT – Improvement Parks and Local Grant Match Parks
- iv. Additional Appropriation 2023-22B: EDIT – Demolition of Property
- v. Additional Appropriation 2023-23B: Building Maintenance – Building Repair
- vi. Additional Appropriation 2023-24B: Cum Capital Development – Building Repair
- vii. Additional Appropriation 2023-25B: LIT/PSAP – security equipment
- viii. Additional Appropriation 2023-26B: Highway – equipment new
- ix. Additional Appropriation 2023-27B: ARPA – culvert and drainage projects

Reports from committees

Marie Theisz said that Council is expected to receive information on Monday from Baker Tilly regarding the updated information on the salary study. Baker Tilly is anticipated to be here prior to the June Sunshine meeting to meet with department heads.

Resolutions and Ordinances other than appropriations.

There were none.

Ordinances relating to appropriations.

i. Salary Ordinance 2023-21A: Sheriff – salary adjustment to building security division

Officer Derek Fell with the Vigo County Sheriff's Office explained that the request tonight concerned putting the salary for the building security personnel in line with the structure of the correctional staff at the Jail and the Juvenile Center. They would also like to see the part time hourly rate be the same as the full time hourly rate. The training, job, responsibilities and expectations are the same for both but part time just does not receive the benefits as full time employees. Officer Fell said they did speak about this matter with Baker Tilly when they met with them. Aaron Loudermilk asked what the feedback from Baker Tilly was when this was discussed. Officer Fell said Jada from Baker Tilly did not think it would be a problem in any way, in her opinion, and could easily be done. There was a lengthy discussion about the hourly rates, stipends and total amount in question. Travis Norris asked about overtime. Officer Fell explained that there would always be overtime due to meetings/functions/court proceedings that took place outside of regular hours that required security.

ii. Additional Appropriation 2023-21B: Sheriff – Salary Adjustment to Building Security Division

This is the additional appropriation that would be used to fund the Salary Ordinance being requested in the prior paragraph.

iii. Additional Appropriation 2023-22B: EDIT – Improvement Parks and Local Grant Match Parks

Adam Grossman, Vigo County Parks Superintendent, explained this request concerns the demolition of Markle Mill Dam. \$16,000 of the money requested is for the grant match to make the demolition and reconstruction of the site happen. The LARE grant match would pay about \$80,000 of the cost. The park itself also needs improvements, including putting up some lights and cameras to cut down on any shady activities that could occur. Additional needs/wants for the park, established through community meetings, include additional play equipment, interpretive signage talking about the dam (keeping the history of the dam as much as possible), tree work (removal of dead trees and stump grinding), new parking, and covered picnic tables. The Redbud trees located there were planted in memory of the 911 victims. The trees have reached their lifespan and making a center area that separates parking from the road as a memorial to replace the removal of the trees would keep that remembrance going. Marie Theisz asked if they could get some drawings/renderings of what the park would look like if all this was implemented and Mr. Grossman said he could bring some to next week's meeting.

iv. Additional Appropriation 2023-22B: EDIT – Demolition of Property

Commissioner Chris Switzer said that he wanted the community to understand that the building in question was 100% excluded back in 2020 when the property was leased to

The Mill. No taxpayer funds are being spent on The Mill. The funds being requested are to remove a county-owned dilapidated building located on the property. Seven bids were solicited for the removal of the building. Bids ranged from \$80,000 to \$400,000. They have chosen to go with McGuire, not because it was the cheapest, but because the Commissioners felt that the removal/fill tonnage that would be used would prevent them from having to come back later for additional monies to re-do some of the project. This will include the building being razed down to ground level and grass seed planted/straw spread. The Commissioners feel that they are meeting the same standards and requirements they expect from taxpayers by cleanup of this dilapidated, unsafe building. Vicki Weger asked what they planned to do with the property once this was done. Mr. Switzer said nothing was planned at the moment. It had been looked at for renovation by several people but there is no running water or sewer on the property at all and the cost to install same, along with other renovations in order to even bring it up to code, was prohibitive. Aaron Loudermilk asked if they were required to obtain bids on a project like this. Mr. Switzer said that anything costing less than \$150,000 only requires a request for proposals. There was a short discussion. Kevin Gardner, Vigo County Assessor, noted that comments had been made that The Mill was operating as exempt and no property taxes were coming back to the County. Mr. Gardner said that as of 2023 pay 2024, roughly \$860,000 worth of assessed value is going on the tax rolls for that property. By beautifying that area, there is the probability of bringing in future business to that area which, in turn, would bring more assessed value to that area.

v. Additional Appropriation 2023-23B: Building Maintenance – Building Repair

Commissioner Mark Clinkenbeard said this appropriation request is to pay for exterior repairs and painting of three county owned buildings. Community Corrections at 1st and Ohio is in need of some exterior repair and painting. The other two buildings are located at 823 South 13th Street and house the Vigo County records, voting machines and other vital information. A new roof was installed on the larger building in the last couple of years and it is in need of some additional repair. It was felt that both buildings are worth saving. He also noted that these monies could be come from either Building Maintenance or Cum Capital Development and had been advertised in both funds to give Council the option of where to fund this request. There was a short discussion about the use of the buildings on South 13th Street. Travis Norris asked whether any decision had been made for the use of the old Jail. Mr. Clinkenbeard said that the decision process was still ongoing.

vi. Additional Appropriation 2023-24B: Cum Capital Development – Building Repair

This was advertised in order to give the Council an option of using money from this fund for the building repair that was discussed in the prior request.

vii. Additional Appropriation 2023-25B: LIT/PSAP – security equipment

Commissioner Mark Clinkenbeard explained that this request is to purchase and install two new scanners. One will be installed at the northeast entrance of the Government

Center and the other will be installed at the Vigo County Juvenile Court entrance and will replace one that is broken. Building security is a top priority. They did shop for the best deal for the money and there is a discount/savings of \$1,200 if two are purchased. Mr. Clinkenbeard said that the Commissioners are continuing to work on getting swipes for the offices in the building that currently do not have them. There was a discussion about the scanner that was broke, when it had been purchased, and warranties. It was noted that the new scanners came with a warranty and installation/training and are from a different company than the one used years ago. The last scanner purchased had come from this company and the pricing/service was better.

viii. Additional Appropriation 2023-26B: Highway – equipment new

Larry Robbins, County Engineer and Highway Director, explained that this appropriation request was for new equipment. They had received approximately \$66,900 in insurance payout money in the last eighteen months involving accidents in some county-owned vehicles. Surplus inventory had also been sold in late 2021 and 2022. Those funds have to be appropriated in order to be able to use them. The goal is to use those monies to purchase a couple of slide in brine units so they can treat the roads and also to get a new truck chassis for the paint truck to make striping the roads more efficient.

ix. Additional Appropriation 2023-27B: ARPA – culvert and drainage projects

Commissioner Chris Switzer noted that there will be an ARPA meeting on May 11 at this location giving details on the use of the ARPA funds to be sure the money will be spent correctly and requirements on doing so. This request is from last year with a few tweaks for the culvert projects. Larry Robbins had provided a list of bridge and culvert projects that this money will be used on, along with a list of the location of the culverts to be replaced. The list also shows the overall rating of the need for replacement. Everything with a rating of 4 or below absolutely needs to be replaced. Some of the projects have dropped off since last year and are now complete. Some were funded by the Community Crossings grant. There are 19 total structures that are all projects needed to be done ahead of some of the regular work. Some also need to be replaced so that they don't fail and cause more issues. There was a short discussion.

Public Comments

Kevin Southwood of Terre Haute spoke about his property tax assessment.

Vicki Weger made a motion to adjourn the meeting. Nancy Allsup seconded the motion. Upon a voice vote of 6-0, the motion was unanimously approved and the meeting adjourned at 6:00 p.m.

MINUTES OF THE VIGO COUNTY COUNCIL
SUNSHINE MEETING
MAY 3, 2023

Presented to the Vigo County Council, read in full and adopted as written this 13th day of June, 2023.

Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo Auditor

VIGO COUNTY COUNCIL
Meeting Minutes
Tuesday, May 9, 2023 at 5:00 P.M.
Council Chambers – Vigo County Government Center

Pledge of Allegiance

President Todd Thacker called the meeting to order at 5:00.

Calling of the roll

Present: Aaron Loudermilk, Nancy Allsup, Vicki Weger, Marie Theisz, Travis Norris, David Thompson, and Todd Thacker.

Correcting of the journal of the preceding meeting if needed

April 4, 2023 Sunshine Meeting

April 11, 2023 Meeting

There were no corrections to the minutes of the April 4, 2023 Sunshine meeting. Marie Theisz made a motion to approve the minutes of the April 4, 2023 Sunshine meeting. Travis Norris seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

There were no corrections to the minutes of the April 11, 2023 meeting. Vicki Weger made a motion to approve the minutes of the April 11, 2023 meeting. Nancy Allsup seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

Communications from elected officials, other officials or agencies of the County

Kevin Gardner, Vigo County Assessor, read the following letter into record:

In late 2021, Baker Tilly was contracted for a compensation study for the County which was to begin early 2022. The idea was that the study would be complete during the 2022 budget cycle and it would be implemented for 2023. As everyone knows, we are just now starting the 2023 budget cycle and we're still holding for an application or completion of the study. I know, based on the information you have provided, you are making headway. There have been numbers that have been submitted to department heads. During this entire period, there have been several departments that have requested salary adjustments. The majority of them have been informed they need to wait until the compensation study is complete. But some have been awarded those requested increases. I'd like to state that I hold absolutely no disrespect for any department head or office holder for requesting more pay for their staff. As an office holder, my first responsibility is to ensure the performance of my department's duties to the best of our ability while providing the best possible service to the taxpayers. My second duty is to ensure my staff are treated respectfully and compensated fairly. The compensation study shows that they are not currently being compensated based on a fair value. I understand the Council feels that the salary requests

that they have approved were to equalize areas that were overlooked during earlier increases. But in reality, it is the purpose of the compensation study to equalize all staff pay to get it to where it should be. With that being said, it gives the appearance that some staff and/or departments are more important than others. Every department performs an important part in the government process and none should be held above another. So it makes me wonder, does every department need to be coming before the Council and requesting a salary adjustment instead of waiting for the process to end. I think the entire study needs to be implemented as of January 1, 2023, so it would be retroactive. I think it should get all of the staffing to the mid-point, which is the goal that you're seeking. I do realize this would be a hit to the sizable surplus that the County has. I think that hit would only be felt for about the next two years and then I think that changes and adjustments could be made to make this a sustainable budget. I think when it comes to office holders, because they're not part of the study, I think rather than having another study, you already know what the percentage difference is between the staff and that office holder. Whatever the increase is to that staff, you could just do that same increase to the office holder and that keeps proportions the same. I just think that now it is time to actually do something. I mean, at some point you can't just keep waiting for this and then making another study because you see something else that is going to be affected. At some point you've just got to open the box and apply it. I appreciate you listening to what I have to say.

As a public announcement, Mr. Gardner also said that Form 11's did go out. A lot of people are seeing increases. He wants everyone to realize that his staff does what they're instructed to do. When the Form 11's are sent out, ultimately Mr. Gardner is responsible for the increase. It's an increase he was forced to do by the State. His staff is happy to help with any informational questions but if someone is really upset, Mr. Gardner is the one that needs to be contacted. As the office holder, that is his responsibility. Marie Theisz thanked Mr. Gardner for always being a good advocate.

Dr. Janie Myers, Vigo County Coroner, spoke about issues the Coroner's Office was having with respectful body storage. President Thacker said that he thought this was an issue that should be addressed with the Commissioners. If Dr. Myers and the Commissioners put together some type of plan to acquire a location for storage that required additional funding, that is when the Council would be able to get involved in how to finance it but this general request was not in the realm of the Council.

Reports from committee(s)

President Thacker said that Baker Tilly had indicated last week in his conversation with them that they would have updated information this week. As of this meeting time, nothing has yet been received. As soon as he receives such information, he will share it with all Council members so they can move forward. The decision whether to make it retroactive or move forward with it on the next budget (since everyone did receive a 4% increase this year) will be up to the Council. Baker Tilly did indicate that the new report will have grades and steps, so the Council is going to have to have some policies (such as

timing, what pay is given to a new hire, do we start at the half-way point or just go straight to mid-point) to decide on how to implement.

Resolutions and Ordinances other than appropriations. There were none.

Ordinances relating to appropriations.

i. Salary Ordinance 2023-21A: Sheriff – salary adjustment to building security division

Derek Fell had presented this at the Sunshine Meeting. President Thacker said that in talking with the Chief Deputy Auditor before the meeting, it has been indicated that the amount requested will cover all the full and part time positions for the rest of the year and is what was advertised. Aaron Loudermilk asked about the amount being requested. Mr. Loudermilk said that it had been indicated last week that the pay would be retroactive and he felt that there was some discrepancy with the numbers. Jim Bramble indicated that the pay was not going to be retroactive and the amount requested would cover the pay for the full and part time employees going forward to the end of the year. Vicki Weger made a motion to approve Salary Ordinance 2023-21A. Nancy Allsup seconded the motion. Before a vote was taken, David Thompson asked if this was addressed by the Baker Tilly study. President Thacker said the study addresses correctional officers as a whole. He doesn't think it breaks it down into the different divisions. He hasn't seen the last revision yet so he cannot be certain. But based upon what they did for the correctional officers at the Juvenile Center to give them parity, this is the last group of correctional officers that parity is being requested for which would then make all correctional officers be paid at the same rate. David Thompson said he did not see how they could vote for this without knowing what the Baker Tilly study shows. Mr. Thompson asked if it was correct that the Juvenile correctional officers and the jailers always had parity. It was agreed that such was correct. Mr. Thompson said that is why they passed the wage adjustment last month. Mr. Thompson asked if Building Security previously had parity with the jailers. Officer Derek Fell said that previously they did prior to the lawsuit. Aaron Loudermilk said he would agree with Councilman Thompson and passing this would support what had been said earlier by Kevin Gardner about approving some rather than others and approving part time employees being paid the same rate as full time. Vicki Weger reiterated that she stood by her motion to approve. Discussion continued. David Thompson said he still didn't feel he could vote on this without seeing the Baker Tilly study. Marie Theisz said while she understood the concerns, she also felt that all positions in one category should be paid the same hourly rate. With no further questions and upon a roll call vote, voting was as follows: Aaron Loudermilk – nay; Nancy Allsup – aye; Vicki Weger – aye; Marie Theisz – aye; Travis Norris – nay; David Thompson – nay; and Todd Thacker – aye. With a 4-3 vote, the motion passed.

ii. Additional Appropriation 2023-21B: Sheriff – salary adjustment to building security division

This is the appropriation to fund Salary Ordinance 2023-21A which was just approved. Vicki Weger made a motion to approve Additional Appropriation 2023-21B. Nancy Allsup seconded the motion. Before a vote was taken, Aaron Loudermilk stated for the record he thought this was more than what is required and excessive money is being

appropriated based upon what he was told last week. Upon a roll call vote, voting was as follows: Aaron Loudermilk – nay; Nancy Allsup – aye; Vicki Weger – aye; Marie Theisz – aye; Travis Norris – aye; David Thompson – nay; and Todd Thacker – aye. With a 5-2 vote, the motion passed.

iii. Additional Appropriation 2023-22B: EDIT – Improvement Parks and Local Grant Match Parks

This had been presented and discussed at the Sunshine Meeting. As requested at the Sunshine Meeting, Adam Grossman provided drawings/maps of the proposed improvements to be made. Marie Theisz had several comments and there was a short discussion about the improvements. Mr. Grossman also noted that upwards of \$190,000 had been received in grant matches so a large portion of the costs were covered. Aaron Loudermilk made a motion to approve Additional Appropriation 2023-22B. Vicki Weger seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

iv. Additional Appropriation 2023-22B: EDIT – Demolition of Property

This had been presented and discussed fully at the Sunshine Meeting. It was noted that this appropriation was for demolition of the building on the International Paper property and was included in the motion that had been passed in the prior paragraph concerning the improvements and grant match for improvements to Markle Mill Dam.

v. Additional Appropriation 2023-23B: Building Maintenance – Building Repair

This had been presented and fully discussed at the Sunshine Meeting. Council had been made aware that this appropriation could be funded either through Building Maintenance or Cum Capital Development and had been advertised in both. Assessor James Bramble was asked his recommendation on which fund should be used. Mr. Bramble said that Cum Cap Development would be his recommendation because there were restrictions on what could be funded from it but this particular request met the requirements. Council decided to follow his recommendation and Additional Appropriation 2023-23B was not used.

vi. Additional Appropriation 2023-24B: Cum Capital Development – Building Repair

As set forth in the prior paragraph, it had been decided that Additional Appropriation 2023-24B was the appropriate fund for this request. Vicki Weger made a motion to approve Additional Appropriation 2023-24B. Nancy Allsup seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

vii. Additional Appropriation 2023-25B: LIT/PSAP – security equipment

This had been presented at the Sunshine meeting and concerned the purchase of two baggage scanners, with one replacing the broken equipment at Juvenile Court and the other to be placed in the Vigo County Government Center. Commissioner Mark Clinkenbeard said he had emailed copies of the quotes to all Council members after the

Sunshine Meeting along with the warranty information. There was a brief discussion about the cost of repair and service with the equipment being out of warranty. Aaron Loudermilk also asked for clarification of the equipment. It was noted that these were baggage scanners only. David Thompson also asked for some clarification on what equipment was at the Juvenile Center and what exactly had been approved in the past. Marie Theisz commented on the need for signage or not. When asked by Vicki Weger if this would affect pacemakers, it was stated that it would not. There was additional discussion. With no additional questions, Marie Theisz made a motion to approve Additional Appropriation 2023-25B. Travis Norris seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

**viii. Additional Appropriation 2023-26B: Highway – Equipment
New**

Larry Robbins, County Engineer and Director of Highway, briefly reviewed this request for appropriation of monies that the Highway Department had received from insurance proceeds and sale of surplus equipment. The funds will be used to purchase a new chassis assembly for their paint truck so they can put the paint totes on when they stripe the roads and some slide in brine units to pre-treat the roads. Aaron Loudermilk made a motion to approve Additional Appropriation 2023-26B. Nancy Allsup seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

**ix. Additional Appropriation 2023-27B: ARPA – Culvert and
Drainage Projects**

This had been presented and discussed at the Sunshine Meeting where it was noted that the money would be used to repair 19 structures throughout the County. Council had no additional questions. Aaron Loudermilk moved to approve Additional Appropriation 2023-27B. Marie Theisz seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed.

Honorary Resolutions There were none.

Resolutions relating to fiscal policies of the Council There were none.

Appointments There were none.

Public Comments Marie Theisz recognized Terre Haute South High School in their recent competition in the Academic All State Championship.

Adjournment

Vicki Weger made a motion to adjourn. By a unanimous voice vote, the meeting was adjourned at 6:05 p.m.

MINUTES OF THE VIGO COUNTY COUNCIL
MAY 9, 2023

Presented to the Vigo County Council, read in full and adopted as written this 13th day of June, 2023.

Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	David Thompson _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Travis Norris _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Marie Theisz _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	R. Todd Thacker, President _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Vicki Weger _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Nancy Allsup _____
Aye <input type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/> Abstain <input type="checkbox"/>	Aaron Loudermilk _____

Attest:

James W. Bramble
Vigo Auditor

VIGO COUNTY COUNCIL
Special Call Joint Meeting Minutes with City Council
Thursday, May 11, 2023 at 10:00 A.M.
Council Chamber, Vigo County Government Center

County Council President Todd Thacker called the special joint meeting of the County Council to order at 10:00 a.m. He said this is a combined meeting between the City and County Councils. The reason for this meeting is for the ARPA Seminar and will be conducted by RJL Solutions and Baker Tilly. Public comment will not be allowed and no action will be taken by the County Council except for roll call and adjournment. The County Council will not vote on any ordinances or resolutions at this meeting and there was a quorum. This is just an informational meeting. Auditor James Bramble called the roll as follows: David Thompson - absent, Travis Norris - present, Marie Theisz - present, Todd Thacker - present, Vicki Weger - present, Nancy Allsup - absent, Aaron Loudermilk - absent.

City Council President Curtis Debaun called the special joint meeting of the City Council to order at 10:05 a.m. This meeting was being held at the Vigo County Annex at 127 Oak Street. In conjunction with the Vigo County Council, the City Council is attending an informational meeting of RJL Solutions and Baker Tilly concerning ARPA reporting requirements. This is an official meeting of the City Council. Notice was disbursed in order to comply with any Open Door Law requirements. Public comments at this meeting will not be allowed. No action will be taken by the City Council excluding the roll call and adjournment. The City Council will not vote on any ordinances or resolutions during this meeting. This seminar is being presented by RJL Solutions and Baker Tilly concerning ARPA compliance processes and procedures. Clerk Michelle Edwards called the roll as follows: Amy Auler - absent, George Azar - present, Tammy Boland - present, Martha Crossen - present, Curtis Debaun - present, Earl Elliott - present, Neil Garrison - absent, Cheryl Loudermilk - present, Todd Nation - present. 7 are present and 2 are absent.

Rachel Leslie of RJL Solutions welcomed everyone. Over \$50 million is being invested in Terre Haute and Vigo County and the purpose today is to make sure we are compliant and heading in the right direction in spending those dollars in the correct way to impact Terre Haute and Vigo County moving forward. Mayor Duke Bennett and Commissioner Mike Morris each gave some brief opening comments and thanked everyone for all the participation and cooperation being exhibited.

Ms. Leslie gave a brief overview of what would be covered today and then turned the meeting over to Lucas Peterson, principal advisory consultant with Baker Tilly, regarding ARPA funds. Mr. Peterson said they had four main areas to look at. First will be uniform guidance and compliance. This is federal money and there are always lots of strings attached to it. Next will be eligibility, just making sure that this money is being spent in an eligible manner with the American Rescue Plan of 2021. Finally, the real reason why you're listening today, is next steps. That is specifically the next steps, from Baker Tilly's perspective, of making sure that these projects are compliant with the American Rescue Plan Act ("ARPA"). It is really easy to rush right in and try to spend the money but it's really important to realize what this federal spending act is and what it's goals and objectives are. Mr. Peterson briefly talked about the \$1.9 trillion dollar Rescue Plan Act breakdown. This money is referred to as ARPA funds or SLFRF funds. The US Treasury has basically said there are three main goals for the money: to fight the

pandemic and support families and businesses struggling with public health and economic impacts, maintain the vital public services even amid declines in revenue resulting from the crisis, and to build a strong, resilient and equitable recovery by making investments that support long term growth and opportunity. The Treasury has put out four uses of funds that this money will be trying to place the spending under. The first, and probably most important, is to replace lost public sector revenue. Many of the revenue streams of the states and counties were lost during the pandemic and one of the uses is to replace that lost tax revenue and to use those funds for any really normal government service. The next use of funds is to respond to the far reaching public health and negative economic impact of the pandemic. This includes things like purchasing masks all the way to giving grants to small business. It is a very varied category. Next would be to provide premium pay for the essential workers (i.e. paramedics and those on the front lines during the pandemic). Finally, although you might not immediately think of using these funds for this, is to invest in water, sewer, and broadband infrastructure. There is a local government ARPA investment tracker provided by the National League of Cities and the National Association of Counties. This shows how other cities and counties are using their funds. He emphasized there is no right or wrong way to spend this money. There are non-compliant and ineligible ways to spend the money but there is no right or wrong way to go through the process. You can access this tracker by googling local government ARP investment tracker. You can see by looking at this that of these 331 local governments (out of 30,000) that 75% of their funds are budgeted. That is not a good or bad thing. That is just demonstrating that some communities have taken the money and really rushed into those decisions. They might have allocated their money into one project, got it done, wiped their hands clean and they're finished. That is not the stage that we're at. The County and City have chosen to make this a process that is open, transparent, and thorough. In talking about Uniform Guidance and Compliance, the stakeholders will be asked to provide very specific information and asked to do very specific things. This also helps stakeholders understand the considerations that this elected body has to make when it comes to spending federal money and not get them in trouble. The first large requirement with this federal money is all these funds need to be committed by December 31, 2024 (something like a contract needs to be signed on a project) and these funds need to be expended no later than December 31, 2026, which means basically everything has been put into the ground and construction finished. The award of these monies that the city and county have received must adhere to uniform guidance. The statute can be found at Title 2, Subtitle A, Chapter 2, Part 200 and it's called Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards. There are a few main subparts in uniform guidance. The first subpart covers acronyms and definitions. Subpart (b) is general provisions for federal awards in general. Subpart (c) is pre-award requirements. Subpart (d) is post-award requirements and is the most extensive section. This is where a "single audit" comes in and information on that. Subpart (e) is cost principles and Subpart (f) is audit requirements. Because this is federal money, the federal government, along with county government, wants to make sure that this money is spent in the way that stakeholders, whenever projects are approved and completed, say that the money is being spent. That means the federal government might require a single audit to be completed on some specific projects. For informational purposes, if you expend more than \$750,000 in federal awards during a fiscal year, your organization will be subject to an audit under the single audit act. Don't panic, just be aware that this could be something your organization might have to do. It's nothing scary. Sub-recipient monitoring means you just need to make sure the money is being spent appropriately and in the way that stakeholders say and tell the City and County that it is being spent.

What does all this mean? Generally, just follow the law. There are not any surprises or "gotchas". Uniform guidance is basically very simple things, i.e. you can't break the Civil Rights Act; you can't dump pollution into rivers and streams, you have to follow environmental rules

and regulations. Be responsive to the city and county. They have to do their due diligence and make sure that it's done in the correct manner that follows the uniform guidance and all the federal requirements. Finally, as a stakeholder, you might want to speak to your accountant sooner rather than later once your project is approved. You will have to do some of your own due diligence. The process of eligibility has started already. The US Treasury is the one making sure the funds reach the cities and counties but they have also provided something called "the final rule". That is guidance for cities and counties to know how to report the projects they are going to be spending the money on to the Treasury. The way they have organized that method of communication is by eligibility categories. There are 83 categories underneath 7 main categories. He then set out how that would be determined. To help Baker Tilly decide which category(ies) the project would fit into, they have something called an eligibility questionnaire for the stakeholders to complete. This information will be used to determine eligibility. The completed eligibility questionnaires will be used to fill out the eligibility evaluation form. The Stakeholders will not have to do anything with the evaluation forms. This is for internal city and county usage. This is a very important single source document created by Baker Tilly. The information contained in this single source document will provide any and all information needed to make the process quicker and easier should questions arise in the future about the project.

For compliance, you just have to make sure you follow the uniform guidance. The compliance section is really for the stakeholders and city and county officials to understand that whenever it comes to compliance, RJL and Baker Tilly are going to make sure that compliance requirements are being met. They do ask that you pay close attention to all communication coming from RJL, Baker Tilly, the city and county for safeguard purposes. Also, ask questions if you have them.

Eligibility evaluations are still in process on all projects. More information has been requested from many stakeholders. If no contact has yet been made, it will be. After the questionnaire is complete, based upon who you are as an organization and what specific project you're wanting to do, there may be more follow up questions.

Betsy Peperak then talked about the presentation that stakeholders will be required to present to the City and/or County Council to tell the story of how your project is going to positively impact Terre Haute and Vigo County. This will allow the Councils to be more engaged in the process of appropriating the ARPA funds. A project description and summary will be needed. This should show the high level points of the project, and what it is designed to accomplish. Be as detailed as possible. It should also contain a timeline from start to completion. The more details the better. You will need an itemized budget that should include two breakdowns: a breakdown of the ARPA funds specifically and a breakdown of all money you will be spending, including your matching dollars. It should contain what you anticipate the outcomes of your project will be and how you will measure your success. She gave examples of how those can vary depending on the project. They can help you determine what those look like. If you have renderings, preliminary designs, or images, you should include them in the presentation. The more visual you can be, the better. Technology should be used for the presentation (i.e. Powerpoint). Presentations should be limited to 15 minutes to allow time for Council members to ask questions. Voting will not take place after presentation but at the following meeting. Presentations should be given on or before December 31 of this year in order to be able to meet the federal deadlines for use/spending of the funds. You will need to notify Jordan Marvel of RJL Solutions when you are ready to present. RJL would like to know a date when you anticipate presenting by June 9, 2023 so they will know what the overall schedule looks like and can help in the preparation of your presentation to allow you to be successful.

Jordan Marvel indicated that all stakeholders should have already received an email from him containing documents required for disbursement of funds. That was not a finalized packet. You should receive the finalized packet within the next couple of weeks. The claim form contains procurement requirements. Those requirements are solely for purchase and are not determined by the amount that has been allocated to the stakeholder. There are three types of procurements: micropurchase is for anything under \$10,000 and can be made without going to bid or obtaining quotes; small purchase is for a contract more than \$10,000 but less than \$250,000 and price quotes must be obtained from at least two sources; and sealed bids are for contracts that exceed \$250,000 and bids must be publicly advertised and opened/awarded publicly.

Leslie Ellis, City Controller, was introduced and gave a few brief comments. She indicated that the city had already expended some of their ARPA funds and she was familiar with requirements and filing the quarterly reports with the federal government each period. They have also experienced a single audit where everything was successful.

County Auditor Jim Bramble and Chief Deputy Auditor Cheryl Loudermilk were introduced and Mr. Bramble gave a few brief comments.

There was a question and answer session. Jim Speer with the Terre Haute Foods Cooperative Market asked how the stakeholders were chosen and contacted. Rachel Leslie said there would be a fund that is going to hopefully be approved by the Council that would go to the United Way. There will be a process in which those in the food cooperative will be able to apply for those funds. Those receiving those funds will be a sub-recipient stakeholder versus an actual stakeholder. City Councilwoman Tammy Boland asked what the process would look like for sub-recipients. That has not yet been determined. Stakeholders have to first be identified by Councils before that process can move forward and Ms. Leslie explained how that will work. City Councilwoman Martha Crossen asked if all stakeholders had been identified or could other groups in the community come forward to apply. Mayor Bennett said today was the first step. Some things are figured out, some are not. Sub-recipients can apply once a group has been chosen to administer the fund previously discussed. Commissioner Chris Switzer said they had selected the United Way because they are already organized with committees and already do so much in the community with child care and things like that. It was felt they could come up with an application process that can truly meet the needs of non-profits, small businesses, child care, whatever, for the sub-recipients. Once United Way has given their presentation to the County Council, and if they are chosen to administer the fund, they can present that sub-recipient application. County Council President Todd Thacker noted that just because you give a presentation does not guarantee that you will be chosen. He would also like to see the deadline moved to an earlier date. City Councilman Todd Nation asked for a list of stakeholders and/or sub-recipients that had been chosen. Ms. Leslie said she did not have a list with her but would get one to Mr. Nation.

Adjournment

Todd Thacker said this had been an informational meeting only and no action had been taken. Vicki Weger made a motion to adjourn. Marie Theisz seconded the motion. By a unanimous voice vote, the County Council meeting was adjourned at 11:00 a.m.

Curtis DeBaun thanked everyone for showing up today. George Azar made a motion to adjourn the City Council. Cheryl Loudermilk seconded the motion. By a unanimous voice vote, the City Council meeting was adjourned at 11:05 a.m.

MINUTES OF THE SPECIAL CALL
JOINT MEETING OF THE VIGO COUNTY COUNCIL
AND TERRE HAUTE CITY COUNCIL
May 11, 2023

Presented to the Vigo County Council, read in full and adopted as written this 13th day of June, 2023.

Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	David Thompson _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Travis Norris _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Marie Theisz _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker, _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	President
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Vicki Weger _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Nancy Allsup _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk _____
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	

Attest:

James W. Bramble
Vigo Auditor